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Monday, January 4, 1993
Friday, January 8, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

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Vol. 88

Jan. - April 1993

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 4, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Britt, Hsieh, Kennedy - 3.

Quorum present.

Supervisor Britt was noted present at 2:28 p.m.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:19 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, March 16, 23, and 30, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Kennedy - 3.

Presentation Made

Supervisor Gonzalez, seconded by Supervisor Maher, moved to suspend the Rules of Order of the Board of Supervisors to permit him to make a presentation.

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No objection and motion carried.

Supervisor Gonzalez presented Certificates of Honor to his staff, Alice Perez and Hazel Jones, in appreciation for their dedication, initiative and hard work in serving the people of the City and County of San Francisco.

Presentation Made

Supervisor Kennedy, seconded by Supervisor Maher, moved to suspend the Rules of Order of the Board of Supervisors to permit her to make a presentation.

No objection and motion carried.

Supervisor Kennedy, on behalf of the San Francisco County Transportation Authority, presented commendations to Commissioners Britt and Gonzalez for their services to the Authority.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Achtenberg requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance Committee

Rereferred to Committee

[Board of Supervisors - Fees]
Ordinance amending Administrative Code, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors, and authorizing the Clerk of the Board to waive, in exigent circumstances, the fees authorized by this section. (Clerk of the Board)

File 97-92-67, Ordinance No.

(Adds Section 8.37.)

Supervisor Achtenberg, seconded by Supervisor Conroy, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

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The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$37,634, Department of Public Health, for permanent salaries, related mandatory fringe benefits, other contractual services, auto mileage, travel, training, other current services, telephone, materials and supplies, data/word processing equipment purchase/lease and reproduction; placing \$7,500 on reserve. (Supervisor Alioto)

File 101-92-15, Ordinance No. 5-93

Finally passed.

[Public Employment]

Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance) reflecting the addition of two new positions in the Department of Public Health. (Supervisor Alioto)

File 102-92-7, Ordinance No. 9-93

Finally passed.

[Government Funding]

Ordinance appropriating \$83,277, Sheriff Department, for professional services (Family Violence Prevention Fund). (Supervisor Achtenberg)

File 101-92-20, Ordinance No. 8-93

Finally passed.

Recommendation of City Services Committee

Finally Passed

[Seismic Safety Retrofit Program]

Ordinance amending Administrative Code, to create certain regulations to assist in implementing the City's Seismic Safety Retrofit Bond Program and to establish a Program Board to recommend

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regulations for the administration of the program; and to create the Seismic Strengthening Loan Fund. (Supervisor Hsieh)

File 97-92-66, Ordinance No. 1-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Mayor's Disapproval Sustained

[Removal of Funds from Bank of America]

Resolution urging the transfer of two City remittance banking accounts from the Bank of America, urging the transfer of City revolving banking accounts from the Bank of America, urging that Bank of America not be used for the City's proposed direct payroll deposit program and urging all officers and employees of the City and County, when given the opportunity to utilize the services of a financial institution for the City, to consider the use of financial institutions other than the Bank of America. (Supervisor Achtenberg)

File 260-92-1, Resolution No.

(December 21, 1992 - Adopted.

December 24, 1992 - Returned disapproved by Mayor.)

(Rule 2.9a of the Board of Supervisors Rules of Order provides that when the Mayor returns legislation to the Board in accordance with the provisions of Charter Section 2.302 the Board shall not reconsider the legislation until the first meeting after the message from the Mayor is presented to the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Achtenberg, seconded by Supervisor Migden, moved to suspend Rule 2.9a of the Rules of Order of the Board of Supervisors to permit reconsideration of the subject legislation at this meeting.

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Motion to reconsider adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Supervisor Achtenberg, seconded by Supervisor Migden, moved passage notwithstanding the Mayor's veto.

Motion to override the Mayor's veto refused adoption by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Migden, Shelley - 7.

Noes: Supervisors Conroy, Kennedy, Maher - 3.

Absent: Supervisor Hsieh - 1.

Recommendations of Finance Committee

Finally Passed

[Travel Allowances to Colorado Not Permitted]
Ordinance amending Ordinance No. 249-92, the Annual Appropriation Ordinance for fiscal year 1992-93, by adding thereto Section 31, which prohibits the allowance of travel expenses incurred in traveling to conventions and meetings in Colorado. (Supervisors Britt, Gonzalez, Migden)

File 101-92-16, Ordinance No. 4-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Colorado Products Ban]
Ordinance amending Administrative Code, to prohibit departments of the City and County from knowingly purchasing any commodities that have been produced or manufactured in the State of Colorado; authorizing the Purchaser to establish rules and regulations to carry out purposes of ordinance; providing for penalties to ensure compliance with the ordinance; requiring the Purchaser to provide implementation reports annually to the Board of Supervisors. (Supervisors Britt, Gonzalez, Migden)

File 97-92-68, Ordinance No. 3-93

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(Adds Sections 10.240 through 10.247.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$438,295, District Attorney, for permanent salaries, related mandatory fringe benefits (for weekend rebooking services). (Supervisor Gonzalez)

File 101-92-17, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

Finally Passed

[Government Funding]

Ordinance appropriating \$106,826, Municipal Court, for permanent salaries, related mandatory fringe benefits and professional services (jail overcrowding); placing \$60,000 on reserve. (Supervisor Gonzalez)

File 101-92-18, Ordinance No. 6-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Municipal Court, reflecting the addition of one position (Classification 0215 Bail Commissioner); companion measure to File 101-92-18. (Civil Service Commission)

File 102-92-8, Ordinance No. 10-93

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Government Funding]

Ordinance appropriating \$3,954,879, Sheriff, for permanent salaries, related mandatory fringe benefits, subsistence, materials and supplies, and services of other departments (jail overcrowding); providing for ratification of action previously taken; and providing for 90 day reporting requirement. (Supervisor Gonzalez)

File 101-92-19, Ordinance No. 7-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Sheriff's Office, reflecting the addition of twenty-four positions (Classifications 8304 L, Deputy Sheriff (20), 8306 L, Senior Deputy Sheriff (2) and 8274 L, Police Cadet (2); companion measure to File 101-92-19. (Civil Service Commission)

File 102-92-9, Ordinance No. 11-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Britt, Hsieh, Maher - 3.

Recommendation of Finance and
Administration and Oversight Committees

Rereferred to Committee

[Cable Television Access Development and Programming Fund]

Ordinance amending Administrative Code, which establishes and governs the maintenance of the Cable Television Access Development and Programming Fund, by providing for the balance of all funds remaining in the fund at the close of each fiscal year to be carried forward and accumulated in said fund. (Clerk of the Board)

File 97-92-63, Ordinance No.

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(Fiscal Impact)

(Amends Section 10.117-68.)

Supervisor Achtenberg, seconded by Supervisor Maher, moved to rerefer to Finance Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Recommendation of Finance and
Economic and Social Policy Committees

Finally Passed

[Earthquake Safety Program]

Ordinance amending the Building Code, to provide that where a building permit application is filed on or after January 1, 1992 to repair a City-owned building under the Bond-Funded Public Safety Improvement Projects, the building's existing electrical, plumbing, mechanical, fire protection or life-safety systems are not required to comply with this code if the system complies with the code in effect at the time of its construction or installation, the system is safe to continue to operate, and the system is not relocated, altered for reuse, or expanded; adopting findings. (Department of Public Works)

File 114-92-7, Ordinance No. 12-93

(Fiscal Impact)

(Amends Section 104(b).)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Recommendation of Economic and Social Policy Committee

Finally Passed

[Transfer of Sick Leave and Vacation Benefits]

Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees,

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by eliminating the limitation on the maximum number of hours that can be transferred to an employee for any single catastrophic illness and by imposing a sunset clause on the elimination of that maximum after 18 months. (Supervisor Kennedy)

File 97-92-62, Ordinance No. 2-93

(Amends Section 16.9-29.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

From Economic and Social Policy Committee Without Recommendation

Finally Passed

[Street Vacation]

Ordinance ordering vacation of subsurface and airspace areas of Fourth Street southeasterly of Howard street, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-92-3.1, Ordinance No. 13-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Street Vacation]

Ordinance ordering vacation of a portion of Main Street between Bryant Street and the Embarcadero; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 164-92-4.1, Ordinance No. 14-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

NEW BUSINESS

Monday, January 4, 1993

Recommendations of Administration and Oversight Committee

Adopted

[Appointments]

Resolution affirming retention of members appointed by the Board of Supervisors as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-56, Resolution No. 6-93

(Stephan Leonoudakis;
James R. Bronkema
Robert McDonnell;
Robert Ross.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Appointment]

Resolution affirming retention of Supervisor Bill Maher as member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-57, Resolution No. 9-93

Supervisor Maher Excused From Voting

Supervisor Maher requested to be excused from voting.

Thereupon, Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to excuse Supervisor Maher from voting.

Motion to excuse Supervisor Maher from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Migden, Shelley - 8.

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Excused: Supervisor Maher - 1.

Absent: Supervisors Britt, Hsieh - 2.

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-58, Resolution No. 8-93

(Supervisor Angela Alioto, vice Supervisor Jim Gonzalez, term expired.)

Supervisor Alioto Excused From Voting

Supervisor Alioto requested to be excused from voting.

Thereupon, Supervisor Maher, seconded by Supervisor Kennedy, moved to excuse Supervisor Alioto from voting.

Motion to excuse Supervisor Alioto from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Excused: Supervisor Alioto - 1.

Absent: Supervisors Britt, Hsieh - 2.

[Appointment]

Resolution affirming retention of Supervisor Willie B. Kennedy as member of the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-59, Resolution No. 7-93

Supervisor Kennedy Excused From Voting

Supervisor Kennedy requested to be excused from voting.

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Supervisor Maher, seconded by Supervisor Migden, moved to excuse Supervisor Kennedy from voting.

Motion to excuse Supervisor Kennedy from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Maher, Migden, Shelley - 8.

Excused: Supervisor Kennedy - 1.

Absent: Supervisors Britt, Hsieh - 2.

Consideration Continued

(Supervisor Hallinan excused from voting in Committee.)

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-60, Resolution No.

(Supervisor Terence Hallinan, vice Supervisor Tom Hsieh, term expired.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to January 11, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Notice of Public Hearing

The following item has been scheduled as a public hearing before the Board of Supervisors on Monday, January 11, 1993, at 3:00 p.m.

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors in

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order to restructure the standing committees of the Board, by increasing the number of committees from four to six, and specifying duties, by repealing Rules 3.12 through 3.16, and by adding Rules 3.12 through 3.18. (Supervisor Alioto)

File 56-92-2

COMMITTEE REPORTS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$131,240, Public Administrator, for various purposes, for the creation of four positions; companion measure to File 102-92-4. (Controller)

File 101-92-22, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Office of the Public Administrator/Guardian, reflecting the addition of four positions (Classifications 1446 Secretary II (1) 4230 Estate Investigator (2) and 4231 Senior Estate Investigator (1). (Civil Service Commission)

File 102-92-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Britt, Hsieh - 3.

[Government Funding]

Ordinance appropriating \$379,000, San Francisco General Hospital, for capital improvement project (AIDS ward renovation); placing \$242,435 on reserve. (Supervisor Gonzalez)

File 101-92-24, Ordinance No.

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Passed for second reading by the following vote:

Ayes: Supervisors Adensternberg, Alloto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Snellley - 10.

Absent: Supervisor Holer - 1

[Government Funding]

Ordinance appropriating \$10,128,907, Department of Public Health, General Fund, medical revenues (SE 855), transfer to other funds, San Francisco General Hospital, other current services (SE 855), (Controller)

File 101-92-28, Ordinance No

Passed for second reading by the following vote:

Ayes: Supervisors Adensternberg, Alloto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Snellley - 10.

Absent: Supervisor Holer - 1

[Airport - Concession Lease]

Ordinance approving "Boarding Area "E" Principal Concession Retail Lease" between the Delta Group and the City and County of San Francisco, acting by and through the Airports Commission. (Airports Commission)

File 62-92-4, Ordinance No

Passed for second reading by the following vote:

Ayes: Supervisors Adensternberg, Alloto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Snellley - 10

Absent: Supervisor Holer - 1

[Lease of Property]

Ordinance authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to the San Francisco Community College District. (Real Estate Department)

File 65-92-11, Ordinance No

Passed for second reading by the following vote:

Ayes: Supervisors Adensternberg, Alloto, Britt, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Snellley - 10

Absent: Supervisor Holer - 1

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[Termination of Lease Agreement]

Ordinance approving termination of lease agreement between Continental Grain Company and the City and County, operating by and through the Port Commission for use of the space at Pier 90 Grain Terminal. (Port)

File 65-92-20, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into indemnification agreements with the Metropolitan Transportation Commission enabling the Department of Public Health to participate in the Homeless Outreach study at Transbay Transit Terminal. (Department of Public Health)

File 97-92-70, Ordinance No.

(Adds Section 19A.32.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hsieh - 2.

[Hotel Tax]

Ordinance amending the Municipal Code, Part III, Section 515 to create a Cultural Equity Endowment Fund by reducing the percentage of the Hotel Tax allocated to the Moscone Convention Center, Brooks Hall, Civic Auditorium, Convention and Visitors Bureau, War Memorial, Publicity and Advertising Fund, and Nonrecurring Events Fund and by capturing a percentage of the General Fund, and to provide that at such time as Hotel Tax funds are no longer necessary for Candlestick Park as set forth herein, a portion of such funds be allocated to the Chief Administrative Officer for publicity and advertising purposes for the arts. (Supervisor Hallinan)

File 127-92-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

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Adopted

[Cultural Affairs Task Force Implementation Committee]
Resolution constituting the Cultural Affairs Task Force Final Report Committee as the task force's implementation committee, provided that the Chief Administrative Officer or his representative shall serve as ex officio without vote, for the purpose of developing a legislative proposal for the creation of a Cultural Equity Endowment Fund Program and for the purpose of developing proposals to implement other recommendations of the Cultural Affairs Task Force final report. (Supervisor Hallinan)

File 197-92-5, Resolution No. 37-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Airport Administration]
Resolution approving a declaration of emergency, emergency repairs, power distribution system, plot 7 and vicinity, Airport Contract No. 3201, San Francisco International Airport - \$161,650.24. (Airports Commission)

File 28-92-13, Resolution No. 11-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Grant - State Funds]
Resolution authorizing the Public Library to apply for, accept and expend funds, retroactively, not to exceed \$65,528 available through the California State Library from Title I of the Library Services and Construction Act for Major Urban Resource Libraries for Fiscal Year 1992/93; waiving indirect costs. (Public Library)

File 147-92-7, Resolution No. 36-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

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[Supplemental Appropriation Request]

Motion directing the Clerk of the Board to submit to his Honor, the Mayor, a request that the Mayor submit a supplemental appropriation of \$30,802 to the Board of Supervisors for services of the Budget Analyst, using funds which have accumulated in the Cable Television Access and Development Fund. (Supervisor Hallinan)

File 69-92-1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

[Indemnification Agreement]

Resolution authorizing an indemnity provision in the agreement between the City and County of San Francisco and the County of San Mateo. (Public Utilities Commission)

File 172-92-20, Resolution No. 12-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

Recommendation of Finance and City Services Committees

Passed for Second Reading

[Veterans Affairs Officer]

Ordinance amending Administrative Code, to establish a County Veteran Service Officer within the Office of the Chief Administrative Officer. (Supervisor Gonzalez)

File 97-92-40, Ordinance No.

(Fiscal Impact)

(Adds Section 5.108.A.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Britt, Hsieh - 2.

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PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Void;
Ramona Albright;
Dehnert Queen;
Herb Felsenthal.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Contract Out]

Resolution approving the Controller's certification that Family Violence Prevention services can be practically performed by private contractor at a lower cost for this program than if work was performed by City and County employees at presently budgeted levels for the Sheriff's Department; companion measure to File 101-92-20. (Supervisor Achtenberg)

File 25-92-35, Resolution No. 10-93

(December 21, 1992 - Introduced in Board for consideration on January 4, 1993.)

Adopted.

[Clean Alternative Fuel Vehicles]

Resolution declaring it to be the policy of the City and County to participate in and sponsor, and encourage others to participate in and sponsor, projects and programs intended to convert all fleet vehicles to clean alternative fuel usage; urging all departments, boards and commissions, officers and agencies of the City and County to participate actively in these projects and programs; requesting the Budget Analyst to conduct a management audit evaluating the City's current fuel consumption policies and programs. (Supervisor Kennedy)

File 43-92-1, Resolution No. 16-93

(December 21, 1992 - Introduced in Board for consideration on January 4, 1993.)

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Adopted.

[Children, Status of]

Resolution endorsing the recommendations made by the Children's Defense Fund Report "The Status of America's Children" and the UNICEF Report "State of the World's Children 1993". (Supervisor Shelley)

File 275-92-1, Resolution No. 14-93

(December 21, 1992 - Introduced in Board for consideration on January 4, 1993.)

Adopted.

[Condominium Project]

Motion approving final map of 10 South Park Street, a condominium project, being a resubdivision of Lot 47, in Assessor's Block 3775, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-30

(December 21, 1992 - Introduced in Board for consideration on January 4, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

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File 1-93-1, Resolution No. 3-93

(Willie B. Kennedy, member, Board of Supervisors, January 10 - 27; Bill Maher, member, Board of Supervisors, January 9 - 16; Raymond Baxter, Director of Health, April 17 - 20; Patricia Chang, member, Commission on the Status of Women, December 23 - January 9; Cleo Donovan, member, Civil Service Commission, December 23 - January 1; James k. Ho, member, Airports Commission, January 2 - 16; Trent W. Orr, President, Recreation and Park Commission, January 14 - 18; Barbara Rosenberg, member, Library Commission, January 19 - 21, 1993.)

Adopted.

[Commendation]

Resolution commending the Honorable Harry G. Britt for his distinguished service on the Board of Supervisors. (Supervisors Shelley, Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Hsieh, Kennedy, Maher, Migden)

File 6-92-32, Resolution No. 1-93

Adopted.

[Commendation]

Resolution commending the Honorable Jim Gonzalez for his distinguished service on the Board of Supervisors. (Supervisors Shelley, Achtenberg, Alioto, Britt, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden)

File 6-92-33, Resolution No. 2-93

Adopted.

[Youth Unemployment Task Force]

Resolution amending Resolution No. 856-92, which created a Task Force on Youth Employment and urged the Mayor to establish a pilot disadvantaged and high risk youth employment program, by increasing the membership of the task force from 17 voting members to 19 voting members, and by adding one ex-officio, non-voting member. (Supervisor Kennedy)

File 92-92-50.3, Resolution No. 5-93

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

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Adopted

[Proclaim]

Resolution proclaiming January 5, 1993 as Braille Awareness Day.

File 4-93-1, Resolution No. 4-93

Supervisors Migden, Alioto, Shelley presented for immediate adoption.

Adopted.

[Government Funding]

Motion directing the Clerk of the Board to submit to the Mayor a request that the Mayor submit a supplemental appropriation of \$40,525 to the Board of Supervisors for funding the Government Cable Television Channel in fiscal 1992-93, using funds which have accumulated in the cable television access and development fund.

File 69-93-1

Supervisor Hallinan presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Conroy, Gonzalez, Hallinan, Kennedy, Shelley - 7.

Absent: Supervisors Britt, Hsieh, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Illegal Unit Amnesty]

Ordinance amending City Planning Code by adding Section 207.3 to establish a 24-month amnesty period within which one dwelling unit in addition to those permitted in any RH-2, RH-3, RM, RC, NC, C or mixed use zoning district (which unit was constructed prior to January 1, 1992 without benefit of permit) may be legalized, by amending Section 161 to exempt legalized units from the parking requirements, and by adding Section 369 to impose a registration penalty; amending Article 37 of the Administrative Code (Residential Rent Stabilization and Arbitration Ordinance) by amending Section 37.2 to make all legalized units subject to rent board jurisdiction;

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amending Housing Code by amending Section 503 to provide that ceiling heights for legalized units are only required to meet the minimum requirements mandated by State law; amending Building Code by adding Section 109 to allow for exemptions from certain code requirements, amending Section 202 to provide that if a density violation is discovered after the expiration of the amnesty period the property owner shall be liable for the full costs incurred by the City in detecting and abating the violation, and amending Section 332.3 to exempt units legalized during the amnesty period from payment of the work without permit investigation fee; adopting findings pursuant to Planning Code Section 101.1. (Supervisor Hallinan presented.) Referred to Finance Committee.

File 115-93-1

Referred to Board

[Commend]

Resolution commending Virginia Gee for two years of distinguished service as the Chief Executive of the San Francisco Lodge of the Chinese American Citizens Alliance. (Supervisors Shelley, Hallinan, Achtenberg presented.) Referred to Board January 11, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-1

[Visitacion Valley Family Support Center]

Resolution urging expedited review and approval of variance in connection with establishing a family support center in Visitacion Valley. (Supervisor Kennedy presented.) Referred to Board January 11, 1993 For Adoption Without Committee Reference Calendar.

File 189-93-1

Requests for Hearings:

File 101-92-29, By Supervisor Shelley, on behalf of Controller: To consider appropriating \$131,500 for Assessor, for professional services (joint Viacom appraisal, Phase I). Referred to Finance Committee with request it be considered at the January 13, 1993 meeting.

File 207-93-1, By Supervisor Maher: To consider urging the Mayor to urge the Police and Fire Commissions to create a joint emergency computer-assisted dispatch system, that both the police and fire systems be civilianized and to place the system under the direction of the Office of Emergency Services but allowing a joint police and fire panel to set basic policy. Referred to City Services Committee.

File 207-93-2, By Supervisor Maher: To consider removing the non-emergency 553-0123 system from the 911 system and to request that a new classification be created to respond to non-emergency calls. Referred to City Services Committee.

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Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-92-74. [Settlement of Litigation] Authorizing settlement of litigation of Austin Louis Wilson against the City and County of San Francisco by payment of \$6,018.90. (City Attorney) Administration and Oversight

File 45-92-75. [Settlement of Litigation] Authorizing settlement of litigation of R. Michael Rapoport v. City and County of San Francisco, et al by payment of \$15,000. (City Attorney) Administration and Oversight

File 47-92-8. [Vallejo Street Garage Lease] Approving and adopting Vallejo Street garage legal documents and authorization for management agreement. (Department of Parking and Traffic) Finance

File 97-92-71. [Awards Program] Amending Administrative Code by adding Section 10.109-11, relating to the establishment and administration of the Department of Electricity and Telecommunications Awards Fund. (Department of Electricity and Telecommunications) Finance

Resolutions Referred to Committee

File 41-92-5. [Assessment Costs - Code Violations Abatement] Confirming report of assessment costs submitted by the Director of Public Works to secure and provide security guard services to the building known as 124-126 Turk Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund. (Department of Public Works) Scheduled for Public Hearing before Board on January 25, 1993 at 3:00 p.m.

File 94-92-11. [Grant - State Funds] Authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend funds of up to \$100,000 available from the California Energy Commission for emergency energy preparedness activities; this amount is comprised of salaries and wages \$50,373, benefits and overhead \$44,077, other expense \$2,800 and includes a fifty percent indirect ("Overhead") cost of \$31,483; providing for ratification of action previously taken. (Public Utilities Commission) Finance

File 172-92-21. [Lease Agreement] Supporting the concepts of an expanded partnership between the San Francisco Recreation and Park Commission and the San Francisco Zoological Society whereby the society shall operate and manage the zoo. (Recreation and Park Department) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

Monday, January 4, 1993

By Supervisor Alioto, that City Attorney provide information regarding the feasibility and the ramifications of City condemnation of lease hold interests in vacant buildings in order to allow usage by groups providing housing for the City's homeless residents.

By Supervisor Maher, that City Attorney prepare resolution urging the Mayor to urge the Police and Fire Commission to create a joint emergency computer-assisted dispatch system, that the police and fire systems be civilianized and to place the system under the direction of the Office of Emergency Services but allowing a joint police and fire panel to set basic policy.

By Supervisor Maher, that City Attorney prepare resolution urging the Mayor to urge the Civil Service Commission to revise and raise the applicable standards for the 911 emergency dispatchers.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Minnie Collins Boyd (Entire Board)
Mildred Leonard Burton (Entire Board)
Erik H. Nielsen (Supervisor Britt)
Kay Boyle (Supervisor Britt)
Arlene Nelson (Supervisor Britt)
John Cronin (Supervisor Alioto)
Adolph Brunn (Supervisor Alioto)
John Mitchell (Supervisor Alioto)
Samuel Bryant Coleman (Supervisor Kennedy)
Alice Ginn (Supervisor Migden)

File 2-93-1

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:35 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Friday, January 8, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Kevin F. Shelley presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Achtenberg - 1.

Quorum present.

COMMUNICATIONS

The Clerk presented the following communications:

Letter from the Office of the Controller dated January 8, 1993 notifying the Board that a recorded bond is on file for each of the following members of the Board of Supervisors:

Supervisor Roberta Achtenberg;
Supervisor Angela Alioto;
Supervisor Susan J. Bierman;
Supervisor Annemarie Conroy;
Supervisor Terence Tyrone Hallinan;
Supervisor Tom Hsieh;
Supervisor Barbara Kaufman;
Supervisor Willie Kennedy;
Supervisor Bill Maher;
Supervisor Carole Migden;
Supervisor Kevin F. Shelley.

Communication from the Office of the Registrar of Voters dated

Friday, January 8, 1993

November 18, 1992 certifying the results of the November 3, 1992 election and that the following six candidates received the highest number of votes for the Board of Supervisors:

Angela Alioto	148,940
Sue Bierman	122,557
Tom Hsieh	117,894
Willie B. Kennedy	117,646
Barbara Kaufman	116,354
Terence Hallinan	114,525

Administration of Oaths

President Shelley introduced the Honorable Rose Bird, former Chief Justice of the California Supreme Court, who will administer the oath of office to those persons who were elected and requested each person named above to please rise and stand at their respective desks.

Thereupon, Judge Bird administered the oath of office to the following members of the Board of Supervisors:

Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy.

Remarks by Retiring President Kevin F. Shelley

Statement by Kevin Shelley
January 8, 1993

Before we begin this afternoon's special session, it is appropriate for all of us to take a moment to hope for the speedy recovery of our friend and City leader Bill Marquis. As many of you undoubtedly know, Bill was struck by a hit-and-run automobile last Monday night. Bill, we all wish you the most speedy recovery.

Let me take this opportunity to welcome to our Chambers Mayor Frank Jordan.

On behalf of my colleagues on the Board of Supervisors, I want to welcome each of you to today's installation ceremony. I want to especially welcome all of the friends and relatives of our two newest members, Sue Bierman and Barbara Kaufman.

Barbara, you have a great, and much deserved reputation as a problem solver, one who is able to mediate disputes and achieve results in what often appear to be impossible circumstances. I have the feeling that you will find this ability quite handy during your term on this Board.

Sue, for so many years you have been a guiding light for so many of us in San Francisco. You are the proof that those who lead their

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lives committed to the betterment of the less fortunate do succeed. It is indeed an honor and a privilege to be able to serve on this Board with you.

I also want to welcome all of the friends and relatives of Supervisor Angela Alioto, as she assumes the presidency of the Board of Supervisors. It gives me great pleasure and is truly an honor to pass the gavel of this Board to Angela. I am certain that under your leadership, Angela, this Board we can be assured that the progressive tradition first established with the election of Nancy Walker, passed onto Harry Britt and Doris Ward, and which I tried my best to maintain, will continue. I am certain that under your Presidency the standards that have been established for justice, equality and the diversity that is San Francisco will continue.

Today, as I hand this gavel over to our new President I am reminded that when I accepted the Presidency of the Board, I pledged to work hard for the people of San Francisco, to work diligently to improve our City's basic services and ensure that this body conducted itself in an orderly and civil fashion. I hope that my tenure as President will be remembered as a time when these goals were met, and the standards set by my predecessors were continued.

I believe it is important to review the record of the last several years, and the problems which we have confronted. For if nothing else, by taking stock of where we are now, we can set realistic goals about where we must go in the future.

During the last two years, San Francisco has seen:

A nationwide recession hit California, and San Francisco, particularly hard, resulting in ever increasing budget deficits;

Riots in our streets following the unjust verdict in the Rodney King case; and

Increase crime throughout our City.

This Board has faced these, and many other challenges, and compassionately sought common sense solutions. While our efforts have at time provoked strong reactions and have not always been successful, we, as a Board, have always attempted to hear all sides, deliberate carefully, and decide on those courses of actions which we deemed to be in the City's best interest.

We have strengthened the City's minority contracting regulations, passed a comprehensive unreinforced masonry building ordinance, developed a plan for a new downtown ballpark, brought sunlight to the Hayes Valley neighborhood, developed an historic water reclamation ordinance, established a fiscal task force to look at the way we do business, and passed the nation's most comprehensive lead ordinance, with all of this we even had time to save the Bay's fog horns.

The City's future, however, is marked by many difficulties. The increase in crime, homelessness, litter and un- and underemployment

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all remain pressing social problems. Our budget is stretched literally to the breaking point. The political fabric of this great City, which for so many years has been our hallmark, at times appears to be dividing us rather than unifying us.

If indeed the future of San Francisco is to be bright we must ensure that its citizens have high-skilled well-paying blue and white collar jobs; our transportation systems and infrastructure must be upgraded; our streets must become safer and cleaner; health care must be delivered to the young, the indigent, and the old; our parks must remain civic treasures; the Presidio and Hunter's Point must become focal points for future generations; and San Francisco's historic role of supporting diversity must remain strong. These goals are the benchmarks upon which San Francisco's future will be measured.

The people of San Francisco expect and deserve that we, their elected officials, be dedicated solely to those pursuits. For we were elected not because of who we are, but rather to solve problems, to lead this City into the future and always to put San Francisco's interests first. As your public servants it is our duty and obligation to do nothing less.

In closing, I want to thank all of my colleagues for having faith in me last April when you elected me to serve as President. I only hope that during my tenure I have not disappointed you or fallen short of your expectations. I want each of you to know it has been a great honor and pleasure serving as the President of this Board of Supervisors. I now look forward with great enthusiasm to descending these stairs and rejoining you as a member of the Board.

Thank you very much!

Installation of President Angela Alioto

The outgoing President, Kevin F. Shelley, requested that Supervisors Kennedy and Migden escort the newly elected President to the rostrum.

Presentation of Mayor Jordan

President Alioto welcomed and introduced the Honorable Mayor Frank Jordan.

Remarks by Mayor .

The Mayor acknowledged the presence of family members, friends, government officials, residents and citizens of San Francisco and

Friday, January 8, 1993

congratulated the two newest members, Supervisors Sue Bierman and Barbara Kaufman and the four re-elected incumbents, Supervisors Alioto, Hsieh, Kennedy and Hallinan.

Mayor Jordan acknowledged the election of Supervisor Alioto as Board President and praised the work by retiring President Shelley.

The Mayor expressed his sense of a great spirit of enthusiasm and unity today. He stated the need and necessity in the difficult years ahead with the hope and high expectation that the spirit of cooperation with the Board of Supervisors will continue as they consider various issues such as public safety, health services, jobs, housing, homeless, budget, youth issues, social services, economic expansion or stability.

He pledged to all a commitment and full cooperation to open dialogue to build a consensus.

The Mayor closed his remarks by saying hats off to the past and coats off to the future, we have a great deal of work to do to win hands down.

Presentation of Plaque

President Alioto, on behalf of the entire Board, presented a commendatory plaque to outgoing President Kevin F. Shelley, memorializing his term as President of the Board of Supervisors for the period April 6, 1992 to January 8, 1993.

Introduction of Supervisors and Members of their Families

The President introduced each Board member and afforded them the opportunity for brief remarks and for introduction of their respective families and close friends.

Remarks of President Alioto

Twenty-five years ago today, almost to the minute, another Alioto raised his hand in a deep personal commitment to serve as the single highest elected official of this magical City. Today, I am proud to be granted a similar honor.

The Presidency of the Board of Supervisors is, in fact, the second highest elected office in our City, and I am deeply honored and humbled.

When I graduated from law school my father wrote a lengthy poem,

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which he dedicated to me. In the third stanza he tried to speak for me with these words:

And now I've made it with my cap and gown,
the end's in sight and soon I'll strut the town
accompanied by my sheepskin to declare
a holy war to lay injustice bare
my I.D.s all I need to fight the fight
to bring the world to justice and to light

My I.D. papers now include this marvelous honor you are giving me today. I will use that I.D. with all my fervor, as my father said, "TO FIGHT THE FIGHT TO HELP BRING THE SPECIAL WORLD OF SAN FRANCISCO TO JUSTICE AND TO LIGHT."

I want to thank my Father, Joseph Alioto, for teaching me about justice and light. Thanks Dad. I want to thank my mother, of course, and my wonderful children who are here today Angela Mia, Joe and Gian Paolo. And my son, Adolfo, who couldn't be here. I have a fabulous family, and I am very lucky to have their support. I couldn't do it without them.

I'd like to talk with you about some special interest groups that are very important to me.

I believe in Special Interests, special people have special needs.

Special people, like Barbara Henry, a 27-year old homeless woman who spends each night huddled at the rear prop entrance to the Opera House. Her biggest problem today is to get cleaned up, to look presentable for a job interview. A roof over her head wouldn't be a bad idea, either.

There is a place for Barbara -- in the vacant buildings found throughout the City. A shelter, a place to take a shower, use a bathroom. A place to be safe so that she can re-build her life. We owe Barbara that much. Barbara represents a special interest to me and she is all of our responsibility.

Special people like Michael Shriver, a dear friend of mine who, along with 28,000 of our fellow San Franciscans, is infected with HIV, the virus that causes AIDS. Michael needs money for research to find a cure. He needs money for education to make sure his friends don't become infected. And he needs money to make sure he is cared for if he becomes sick.

There is hope for Michael and he and I went to Washington together to look for it, knocking on Senators' doors to try and shake one billion dollars out of the Defense budget and move it into education, research, and care for HIV.

San Francisco was denied one-hundred million dollars by only four votes in the U.S. Senate. But we're going to go back again and again and again until we win, and with a new Senate, including one who occupied the very office I step up to today, I think we can win

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these vital funds. Ten thousand San Franciscans dead of AIDS is too many. Michael is a special interest to me and he is all of our responsibility.

Special people like Linda Kennedy, who works for a small trucking company in Bayview/Hunters Point. Linda, along with the other small business people in the City, employs more than half the working population of the City and provides the innumerable services which make San Francisco a vibrant, viable, exciting City.

The problem is Linda couldn't seem to get the permits she needed to hook up electricity to her office. It simply should not be such a horrendous ordeal. This small company can't pay attention to service and business when they have to spend their time worrying about a City department that can't seem to say OK to a simple issue like a power hook-up. Linda is a special interest to me and she is all of our responsibility.

Finally, there are the special people, each individual, who live and work in San Francisco. The individuals who pay fees and taxes, and who expect a fair shake and a fair value for their money.

We need a Muni that runs on time and doesn't break down. We need a planning department that issues permits through a process we can all understand. We need emergency services that pick up the phone and arrive on the scene before the emergency is over. Each person who lives or works in San Francisco is a special interest to me. We are responsible for keeping this City safe and exciting, magical and diverse for all San Franciscans.

Our challenge this year is to create new visionary legislation that meets the needs of these special interests: the homeless, people with HIV, our small business people, and all of those who provide the tax base needed to support the great quality of life our residents deserve.

As I take this seat in the Supervisorial Chambers, I do so with the full knowledge that the power does not reside with me, but with you, the people of San Francisco. From this second highest position in City government, I am asking for your help and support. In particular, I need support of my colleagues, Supervisors Carole Migden, Kevin Shelley, Terence Hallinan, Tom Hsieh, Willie Kennedy, Roberta Achtenberg, Bill Maher, Annemarie Conroy, Barbara Kaufman and Sue Bierman. It's only by working together and respecting each other that we can succeed.

This wonderfully diverse board of elected officials will work with the Mayor in the interest of all of the people. I for one pledge to work with the Mayor for the betterment of the City we all love. The City that knew how can once again be the City that knows how. Thank you all from the bottom of my heart.

Announcement of Committee Assignments

(See Journal of Proceedings of January 19, 1993.)

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Because of the proposed change in committee structure there will be no change in present committee assignments except President Alioto appointed herself to the vacant seat on the Finance Committee, effective January 11, 1993.

ADJOURNMENT

There being no further business, the Board at the hour of 1:24 p.m. adjourned.

John L. Taylor, Clerk

Approved by the Board of Supervisors on June 21, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 11, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Hsieh, Kaufman, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Conroy, Hallinan, Kennedy, Maher - 4.

Quorum present.

Supervisor Conroy was noted present at 2:12 p.m.

Supervisor Hallinan was noted present at 2:10 p.m.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, April 6, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

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CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Kaufman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Finance and City Services Committees

Passed for Second Reading as Amended

[Veterans Affairs Officer]
Ordinance amending Administrative Code, to establish a County Veteran Service Officer within the Office of the Chief Administrative Officer. (Supervisor Gonzalez)

File 97-92-40, Ordinance No.

(Fiscal Impact)

(Adds Section 5.108.A.)

Supervisor Kaufman, seconded by Supervisor Conroy, moved an amendment of the whole bearing same title.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved to amend the amendment of the whole on page two, line 21, by replacing "its main" with "a high" priority.

Motion to amend the amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

The roll was called on the amendment of the whole as amended and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Ordinance passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

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Absent: Supervisors Kennedy, Maher - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$438,295, District Attorney, for permanent salaries, related mandatory fringe benefits (for weekend rebooking services). (Supervisor Gonzalez)

File 101-92-17, Ordinance No. 19-93

Finally passed.

[Government Funding]

Ordinance appropriating \$131,240, Public Administrator, for various purposes, for the creation of four positions; companion measure to File 102-92-4. (Controller)

File 101-92-22, Ordinance No. 20-93

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Office of the Public Administrator/Guardian, reflecting the addition of four positions (Classifications 1446 Secretary II (1) 4230 Estate Investigator (2) and 4231 Senior Estate Investigator (1). (Civil Service Commission)

File 102-92-4, Ordinance No. 21-93

Finally passed.

[Government Funding]

Ordinance appropriating \$379,000, San Francisco General Hospital, for capital improvement project (AIDS ward renovation) placing \$242,4250 on reserve. (Supervisor Gonzalez)

File 101-92-24, Ordinance No. 22-93

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Finally passed.

[Government Funding]

Ordinance appropriating \$10,128,907, Department of Public Health, General Fund, medical revenues (SB 855), transfer to other funds, San Francisco General Hospital, other current services (SB 855). (Controller)

File 101-92-28, Ordinance No. 23-93

Finally passed.

[Airport - Concession Lease]

Ordinance approving "Boarding Area "E" Principal Concession Retail Lease" between the Delstar Group and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 62-92-4, Ordinance No. 15-93

Finally passed.

[Lease of Property]

Ordinance authorizing and approving lease of City-owned property at 1800 Oakdale Avenue (southeast Community Facility, northwest corner of Phelps Street and Oakdale Avenue) to the San Francisco Community College District. (Real Estate Department)

File 65-92-11, Ordinance No. 16-93

Finally passed.

[Termination of Lease Agreement]

Ordinance approving termination of lease agreement between Continental Grain Company and the City and County, operating by and through the Port Commission for use of the space at Pier 90 Grain Terminal. (Port Commission)

File 65-92-20, Ordinance No. 18-93

Finally passed.

[Public Health Contracts]

Ordinance amending Administrative Code, to permit the Department of Public Health to enter into indemnification agreements with the Metropolitan Transportation Commission enabling the Department of Public Health to participate in the Homeless Outreach study at Transbay Transit Terminal. (Department of Public Health)

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File 97-92-70, Ordinance No. 17-93

(Adds Section 19A.32.)

Finally passed.

[Hotel Tax]

Ordinance amending the Municipal Code, Part III, Section 515 to create a Cultural Equity Endowment Fund by reducing the percentage of the Hotel Tax allocated to the Moscone Convention Center, Brooks Hall, Civic Auditorium, Convention and Visitors Bureau, War Memorial, Publicity and Advertising Fund, and Nonrecurring Events Fund and by capturing a percentage of the General Fund, and to provide that at such time as Hotel Tax funds are no longer necessary for Candlestick Park as set forth herein, a portion of such funds be allocated to the Chief Administrative Officer for publicity and advertising purposes for the arts. (Supervisor Hallinan)

File 127-92-11, Ordinance No. 24-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Administration and Oversight Committee

Monday, January 11, 1993

Adopted

(Supervisor Hallinan excused from voting in Committee.)

[Appointment]

Resolution appointing member to the Board of Directors, Golden Gate Bridge, Highway and Transportation District. (Administration and Oversight Committee)

File 92-92-60, Resolution No. 15-93

(Supervisor Terence Hallinan, vice Supervisor Tom Hsieh, term expired.)

Supervisor Hallinan Excused from Voting

Supervisor Achtenberg, seconded by Supervisor Migden, moved to excuse Supervisor Hallinan from voting.

Motion to excuse Supervisor Hallinan from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hsieh, Kaufman, Migden, Shelley - 8.

Excused: Supervisor Hallinan - 1.

Absent: Supervisors Kennedy, Maher - 2.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$23,460, Rent Board, for permanent salaries, for fiscal year 1992-93. (Controller)

File 101-92-25, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Monday, January 11, 1993

Absent: Supervisors Kennedy, Maher - 2.

Passed for Second Reading as Amended

[Public Employment]

Ordinance amending No. 250-92 (Annual Salary Ordinance) reflecting the deletion of one position and the addition of one position in the Rent Arbitration Board; companion measure to File 101-92-25. (Civil Service Commission)

File 102-92-10, Ordinance No.

Supervisor Migden, seconded by Supervisor Conroy, moved an amendment of the whole entitled, "Ordinance amending No. 250-92 (Annual Salary Ordinance) reflecting the deletion of one position and the addition of one position in the Rent Arbitration Board."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Rereferred to Committee

[Government Funding]

Ordinance appropriating \$1,400,000, San Francisco General Hospital, for capital improvement project, (Ward 14 and 15) for fiscal year 1992-93; placing \$1,140,000 on reserve. (Supervisor Gonzalez)

File 101-92-23, Ordinance No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

SPECIAL ORDER 3:00 P.M.

Monday, January 11, 1993

Hearing Held

[Public Hearing]

Hearing to consider changes to the Rules of Order of the Board of Supervisors in order to restructure the standing committees of the Board.

File 56-92-2

The privilege of the floor was granted to the following person:

David Philpott.

There being no one else present wishing to speak, the President declared the public hearing closed.

Adopted

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors in order to restructure the standing committees of the Board, increasing the number of committees from four to six, and specifying duties, by repealing Rules 3.12 through 3.16, and by adding Rules 3.12 through 3.18. (Supervisor Alioto)

File 56-92-2

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Virginia Conway;
Ace Washington;
Shelley Salieri;
Susan Barthal;
Kathy Perry.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require

Monday, January 11, 1993

these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation]

Resolution commending Virginia Gee for two years of distinguished service as the Chief Executive of San Francisco Lodge of the Chinese American Citizens Alliance. (Supervisors Shelley, Hallinan, Achtenberg, Hsieh, Kaufman, Bierman, Alioto)

File 6-93-1, Resolution No. 21-93

(January 4, 1993 - Introduced in Board for consideration on January 11, 1993.)

Adopted.

[Visitacion Valley Family Support Center]

Resolution urging expedited review and approval of variance in connection with establishing a family support center in Visitacion Valley. (Supervisors Kennedy, Alioto)

File 189-93-1, Resolution No. 22-93

(January 4, 1993 - Introduced in Board for consideration on January 11, 1993.)

Adopted.

[Live/Work Condominium Project]

Motion approving final map of 30 Washburn Street, a live/work condominium project, being a resubdivision of Lot 23, in Assessor's Block 3509, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-92-31

(January 4, 1993 - Introduced in Board for consideration on January 11, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Monday, January 11, 1993

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Shelley - 7.

Absent: Supervisors Achtenberg, Kennedy, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-2, Resolution No. 17-93

(Peter Ashe, member, Retirement System, January 12; Buck Bagot, member, Redevelopment Agency, December 24, 1992 - January 5; Barbara Cameron, member, Commission on the Status of Women, December 22 - 29, 1992; Kenneth Dowlin, City Librarian, January 6 - 8, 22 - 27; February 24 - 26; March 4 - 7; April 14 - 18; May 21 - 30; June 24 - 30; Virginia Gee, member, Library Commission, December 26 - 30, 1992; Michael Hardeman, member, Public Utilities Commission, January 16 - 21; James K. Ho, member, Airports Commission, January 2 - 16; Patrick A. Murphy, President, Airports Commission, January 5 - 8; Roselyne C. Swig, member, Library Commission, January 1 - 6, 8 - 14, 16 - 21; Albert C. Walker, General Manager, Civil Service Commission, January 23 - 27; Doris M. Ward, Assessor, February 26 - March 2, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commendation]

Resolution commending the heroic, lifesaving actions of San Francisco Police Officers Darcy Keller and Danny Lopez.

File 6-93-2, Resolution No. 18-93

Supervisors Conroy and Alioto presented for immediate adoption.

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Adopted.

[Federal Funding]

Resolution memorializing Senators Dianne Feinstein and Barbara Boxer to seek on behalf of the City and County of San Francisco federal funding to guarantee the continuation and success of the City's Youth Employment program.

File 13-93-1, Resolution No. 19-93

Supervisor Hallinan presented on behalf of Supervisor Kennedy for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Grove Street, between Polk and Larkin Streets, on Monday, January 18, 1993, from 10:00 a.m. to 5:00 p.m., for the Martin Luther King, Jr. birthday celebration.

File 42-93-1, Resolution No. 20-93

Supervisor Migden presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Shelley - 7.

Absent: Supervisors Achtenberg, Kennedy, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Ordinance appropriating \$131,500, Assessor, for professional services (joint Viacom appraisal, Phase I). (Supervisor Migden presented.) Referred to Finance/Budget Committee.

File 101-92-29

Monday, January 11, 1993

[Government Funding]

Ordinance appropriating \$70,804, Mayor's Office of Children, Youth and their Families, for permanent salaries - miscellaneous and related mandatory fringe benefits and rescinding \$56,742 from other contractual services, for the creation of five positions. (Supervisor Achtenberg presented.) Referred to Finance/Budget Committee.

File 101-92-31

[Drive-up Facility]

Ordinance amending City Planning Code by amending Section 719.25 to amend the Haight Street Neighborhood Commercial District Zoning Control Table and to add text to end of Table to allow for drive-up facilities as a conditional use; adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Hsieh presented.) Referred to Economic and Social Policy/Housing and Land Use Committee.

File 115-93-2

Referred to Board

[Gift Acceptance]

Resolution authorizing the San Francisco Police Department to accept the anonymous gift of \$100,000 to be used for the purchase of computer hardware and software for police communications. (Supervisor Conroy presented.) Referred to Board January 19, 1993 For Adoption Without Committee Reference Calendar.

File 38-93-1

Requests for Hearings:

File 175-93-1, By Supervisor Migden: To consider implementing AB 1930 to create a one-half cent sales tax to finance public education, crime prevention, drug abuse prevention and health care services. Referred to Finance/Budget Committee.

File 207-93-3, By Supervisor Maher: To consider enacting a phone surcharge to fund the capital improvements necessary to upgrade the 911 system. Referred to Finance/Budget Committee.

File 244-93-1, By Supervisor Hallinan: To consider the availability of Hunters Point Shipyard for the expansion of University of California in San Francisco. Referred to Economic and Social Policy/Housing and Land Use Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

Monday, January 11, 1993

File 101-92-30. [Government Funding] Appropriating \$220,000, Public Defender, for permanent salaries, related mandatory fringe benefits. RO #92134 (Controller) Finance

File 170-93-1. [Equipment Lease] Providing for the approval and execution and delivery by Officers of the City and County of San Francisco of an Equipment Lease Supplement No. 2 between the City and County of San Francisco Finance Corporation, as lessor and the City and County of San Francisco, as lessee with respect to equipment to be used for City purposes and the related certificate of approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of lease revenue bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Chief Administrative Officer) Finance

Resolutions Referred to Committee

File 40-93-1. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Economic and Social Policy

File 48-93-1. [Settlement of Claim] Approving the settlement of the unlitigated claim of Neale Storm by payment of \$25,000. (City Attorney) Administration and Oversight

File 48-93-2. [Settlement of Claim] Approving the settlement of the unlitigated claim of Natividad Taguiam by payment of \$13,500. (City Attorney) Administration and Oversight

File 65-93-1. [Lease of Property] Confirming lease to State of California of certain land on Moccasin Creek, Tuolumne County, California, for fish hatchery. (Real Estate Department) Finance

File 68-93-1. [Juvenile Justice/Delinquency Prevention Grant] Authorizing the Mayor of the City and County of San Francisco to apply for, accept and expend funds in the amount of \$3,738 made available through the Office of Criminal Justice Planning for a project entitled "1992/93 JJDP Planning Grant" and agreeing to provide cash match in the amount of \$3,738. (Mayor) Finance

File 68-93-2. [1992 State Realignment] Authorizing the Mayor's Criminal Justice Council of the City and County of San Francisco to apply for, accept and expend funds totalling \$857,969 from State Realignment funds for the 1992/93 "County Justice System Subvention Program" (CJSSP); providing allocations; designating program coordinator; placing \$240,575 (\$171,593 of unallotted funds and \$68,982 of working reserve) in reserve; and waiving any indirect cost. (Mayor) Finance

Monday, January 11, 1993

File 146-93-1. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, to accept and expend a grant of \$29,445, which includes indirect costs in the amount of \$2,945, based on ten percent of the total award from the State Department of Health Services, to provide health education materials, supplies, and travel costs for health administrative and technical staff; providing for ratification of action previously taken. (Department of Public Health) Finance

File 146-93-2. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for a grant of \$48,700, which includes indirect costs in the amount of \$2,700, based on twenty percent of salaries from State Emergency Medical Services Authority, for the development of Uniform Prehospital Treatment Guidelines. (Department of Public Health) Finance

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Maher, that City Attorney prepare ordinance which would enact a phone surcharge to fund the capital improvements necessary to upgrade the 911 system.

By Supervisor Migden, that City Attorney prepare ordinance to create a Public Finance Authority to implement AB 1930, one-half cent sales tax fund to finance public education, crime prevention, drug abuse prevention and health care services.

By Supervisor Migden, that letters of inquiry be sent to Director, Department of Parking and Traffic and Chief Administrative Officer to determine whether it is feasible and cost effective, without jeopardizing public safety, to implement a program similar to the City of Philadelphia which replaced some 3,000 traffic lights with four-way Stop signs and realized savings of \$500,000 per year in electricity and maintenance.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Catherine Bowzeman (Supervisor Kennedy)
Dagmire Camilla Solnold Reem (Supervisor Hallinan)
Selma Light (Supervisor Migden)
Michael Roy (Supervisor Migden)
Thomas Vincente Maher (Supervisor Shelley)
Tom Eden (Supervisor Bierman)

File 2-93-2

Unanimously adopted by a rising vote.

Monday, January 11, 1993

ADJOURNMENT

There being no further business, the Board at the hour of 3:34 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 11, 1993

Approved by the Board of Supervisors on June 28, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Vol. 88

No. 3

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Tuesday, January 19, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, January 19, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Maher, Shelley - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Kennedy, Migden - 4.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Conroy was noted present at 2:14 p.m.

Supervisor Kennedy excused on official leave of absence.

Supervisor Migden excused. (See infra.)

Supervisors Achtenberg and Migden Excused

The Clerk announced that Supervisors Achtenberg and Migden requested to be excused from attending today's meeting.

Supervisor Shelley, seconded by Supervisor Maher, moved to excuse Supervisors Achtenberg and Migden from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Shelley - 6.

Tuesday, January 19, 1993

Absent: Supervisors Achtenberg, Conroy, Kennedy, Maher, Migden - 5.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Hsieh, moved that the Journal of Proceedings for Monday, April 13, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Shelley - 7.

Absent: Supervisors Achtenberg, Kennedy, Maher, Migden - 4.

CONSENT CALENDAR

Recommendations of Finance Committee

Adopted

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Service, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to apply for a grant of \$650,000, which includes indirect costs in the amount of \$65,000, based on twenty percent of salaries, from the Centers for Disease Control, for the continued operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center for the resident of San Francisco. (Department of Public Health)

File 146-92-77, Resolution No.29-93

Adopted.

[Grant - State/University of California Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a grant of \$180,000, which includes indirect costs based on ten percent of the total award, from the University of California at Berkeley, Office of the President, to conduct the tobacco-related disease in HIV-Infected Homosexual Men Research Project. (Department of Public Health)

File 146-92-78, Resolution No. 30-93

Adopted.

Tuesday, January 19, 1993

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$18,750,000, from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive Aids Resources Emergency (CARE) Title I Supplemental Grant Project; waiving indirect costs. (Department of Public Health)

File 146-92-80, Resolution No. 32-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health, Substance Abuse and Forensic Services, to apply for, accept and expend a grant of \$30,584 from the State Department of Mental Health for the primary prevention in the schools projects; providing for ratification of action previously taken and waiving indirect costs. (Department of Public Health)

File 146-92-82, Resolution No. 34-93

Adopted.

[Grant Subvention - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services, to accept and expend a grant subvention up to the amount of \$49,988, which excludes indirect costs from the State of California, Department of Alcohol and Drug Programs for the development and implementation of five-year master plan for substance abuse services in the City and County of San Francisco; waiving indirect costs. (Department of Public Health)

File 146-92-83, Resolution No. 35-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Director of the Department of Parking and Traffic to apply for, accept and expend up to \$80,000 of State funds for participation in the 1993 California Department of Transportation's Fuel Efficient Traffic Signal Management (FETSIM) Program, for the Mission District Signal System. (Department of Parking and Traffic)

File 192-92-7, Resolution No. 24-93

Adopted.

Tuesday, January 19, 1993

The foregoing items on the Consent Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Shelley - 7.

Absent: Supervisors Achtenberg, Kennedy, Maher, Migden - 4.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$23,460, Rent Board, for permanent salaries, for fiscal year 1992-93. (Controller)

File 101-92-25, Ordinance No. 27-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Public Employment]

Ordinance amending No. 250-92 (Annual Salary Ordinance) reflecting the deletion of one position and addition of one position in the Rent Arbitration Board; companion measure to File 101-92-25. (Civil Service Commission)

File 102-92-10, Ordinance No. 28-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Recommendation of Finance and City Services Committees

Finally Passed

Tuesday, January 19, 1993

[Veterans Affairs Officer]

Ordinance amending Administrative Code, to establish a County Veteran Service Officer within the Office of the Chief Administrative Officer. (Supervisor Gonzalez)

File 97-92-40, Ordinance No. 26-93

(Fiscal Impact)

(Adds Section 5.108.A.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

NEW BUSINESS

Recommendations of Finance Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$540,419, Department of Social Services, for permanent salaries and related mandatory fringe benefits and day care assistance for fiscal year 1992-93 ratifying action previous taken. (Controller)

File 101-92-21, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Government Funding]

Ordinance appropriating \$131,500, Assessor, for professional services (joint Viacom appraisal, Phase I). (Supervisor Shelley)

File 101-92-29, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Tuesday, January 19, 1993

[Coit Tower Facility Lease]

Ordinance approving a five-year lease with Frederick Lo for management and operation of the Coit Tower Facility in San Francisco, California. (Recreation and Park Department)

File 62-92-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Consideration Continued

[Sublease of Property]

Ordinance authorizing and approving sublease of real property located at 701 Frederick Street commonly known as the former Boys' Gym of Polytechnic High School to the Pickle Family Circus. (Real Estate Department)

File 65-92-21, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to January 25, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Passed for Second Reading

[Sale of Health Materials]

Ordinance amending the San Francisco Administrative Code, to authorize the Director of Public Health to sell health-related materials and establishing a fund for revenues derived from such sales. (Supervisor Alioto)

File 97-92-4, Ordinance No.

(Adds Section 8.35)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Tuesday, January 19, 1993

[Quitclaim Deed]

Ordinance authorizing and directing execution of quitclaim deed by City and County of San Francisco to San Francisco Community College District, of City College of San Francisco site located at Ocean Avenue and Phelan Avenue; adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley)

File 203-92-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Adopted

[Contract Award Extension]

Resolution granting, retroactively, extension of time for awarding San Francisco Water Department Contract No. WD-2123, CDD Machine Shop Upgrade. (Public Utilities Commission)

File 61-92-7, Resolution No. 27-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Appropriations]

Resolution establishing the appropriations limit for fiscal year 1992-93 pursuant to California Constitution Article XIII B. (Controller)

File 101-92-27, Resolution No. 28-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to apply for, accept and expend a grant of \$175,032 which includes indirect costs in the amount of \$6,732 based on four percent of the direct costs and a

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required match in the amount of \$58,344, which is one-third of the total grant amount, from the McKinney Path Homeless Fund Federal Formula Grant for the homeless mentally ill and the mentally ill at risk of becoming homeless; providing for ratification of action previously taken. (Department of Public Health)

File 146-92-79, Resolution No. 31-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, MIA Program, to accept and expend the fiscal year 1992-93 allocation of up to \$2,000,000, which includes indirect costs of ten percent of personnel costs, from the State Department of Health Services for Legalized Indigent Medical Assistance (LIMA) funds under the Immigration Reform and Control Act (IRCA); providing for ratification of action previously taken. (Department of Public Health)

File 146-92-81, Resolution No. 33-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

[Grant - Private Corporate Funds]

Resolution authorizing the City Librarian to apply for equipment valued at \$405,416.85 available from the Corporate Contributions Committee of Digital Equipment Corporation for creating the AIDS Library/Information Network; waiving indirect costs. (Public Library)

File 147-92-8, Resolution No. 36-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Tuesday, January 19, 1993

Rereferred to Committee

[Redevelopment Agency Budget and Bonds]
Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1992-93. (Supervisor Gonzalez)

File 161-92-5.1, Resolution No.

Supervisor Hsieh, seconded by Supervisor Conroy, moved to rerefer to Finance Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Adopted

[Contract Modification]
Resolution authorizing the Municipal Railway to modify an existing contract with Breda Costruzioni Ferroviarie S.p.A. (Public Utilities Commission)

File 172-92-22, Resolution No. 23-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Hal Rose;
Dehnert Queen;
Rodney;
Ann Bishop.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board

Tuesday, January 19, 1993

with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted as Amended

[Gift Acceptance]

Resolution authorizing the San Francisco Police Department to accept the anonymous gift of \$100,000 to be used for the purchase of computer hardware and software for police communications. (Supervisor Conroy)

File 38-93-1, Resolution No. 26-93

Supervisor Conroy, seconded by Supervisor Hsieh, moved to amend line 11 by deleting "\$1000,000" and inserting "\$100,000".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-3, Resolution No. 25-93

Tuesday, January 19, 1993

(Mayor Frank Jordan, January 15 - 21; Roberta Achtenberg, member, Board of Supervisors, January 16 - 22; Carole Migden, member, Board of Supervisors, January 18 - 22; Jeff Brown, Public Defender, January 12 - 28; Arthur J. Eberhardt, Sr., member, Commission on the Aging, January 10 - 24; Bob Hillmann, member, Film and Video Arts Commission, January 20 - February 1; James K. Ho, member, Airports Commission, January 16 - 20 and 24 - 25; L. Andrew Jeanpierre, member, Airports Commission, January 16 - 22; Willis Kirk, member, Arts Commission, January 7 - 11; Greg Kunin, member, Film and Video Arts Commission, December 30, 1992 - January 18, 1993; H. Daniel McFarland, General Manager, Department of Electricity, February 9 - 12; Patrick Murphy, President, Airports Commission, January 5 - 8 and 12 - 15; Trent W. Orr, President, Recreation and Park Commission, January 11 - 18; Liza Zenni, member, Art Commission, January 13 - 15, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Announcement of Committee Assignments

The following Committee assignments were made by President Angela Alioto to become effective January 18, 1993:

Budget Committee

Supervisors Migden, Hsieh, Shelley

Economic Vitality and Social Policy Committee

Supervisors Kennedy, Kaufman, Achtenberg

Government Efficiency and Labor Committee

Supervisors Hallinan, Kaufman, Bierman

Health and Public Safety Committee

Supervisors Shelley, Conroy, Hallinan

Housing and Land Use Committee

Supervisors Achtenberg, Maher, Migden

Rules Committee

Supervisors Alioto, Bierman, Conroy

Select Committee on Base Closures

Supervisors Shelley, Bierman, Kennedy.

First-named Supervisor is Chair, second-named Supervisor is Vice-Chair of the Committee.

Tuesday, January 19, 1993

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Reactivated and referred to Budget Committee

[Government Funding]

Ordinance appropriating \$8,752, Superior Court, for permanent salaries, related mandatory fringe benefits (for creation of two and deletion of two positions). (Supervisor Migden presented.) Reactivated and referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 101-92-26

[Government Funding]

Ordinance amending Ordinance No. 250-92 (Annual Salary Ordinance), Superior Court, reflecting the reclassification of two positions. (Supervisor Migden presented.) Reactivated and referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 102-92-11

Referred to Committee

[Earthquake Hazard Reduction]

Ordinance amending Building Code by amending Sections 306(a) 17 and 18, 1401, 1402, 1404(b), 1405, 1406, 1502(e), 1502(f), 1504, 1507(d), 1508(g), 1509(b), 1510(a), 1511(h), 1513(b), 1513(d), 1516, amending Tables No. 14-A, 15-A and 15-E and adding Section 1510(d); all relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings by clarifying special inspection requirements, simplifying and clarifying the definition of exempt buildings, redefining risk level 1 to delete Group A-3 assembly occupancies, making more specific the time limits for compliance, limiting the requirement for an engineering report, clarifying that UMB buildings not listed by the superintendent must also comply with Chapters 14 and 15, setting time limits for the review and correction of inventory forms, providing for phased strengthening, clarifying requirements for UMB homeless shelters, extending the time extension for assembly occupancies owned by non-profit organizations to all risk levels and clarifying that the time limitation applies only when the building is used for assembly purposes with an occupant load of more than 299 persons, clarifying the requirements for party wall buildings and buildings of mixed construction, correcting technical definitions, clarifying when a foundation investigation or chord members are required, clarifying anchorage installation and testing requirements and making editorial corrections. (Supervisor Hsieh presented.) Referred to Housing and Land Use Committee.

Tuesday, January 19, 1993

File 114-93-1

[Personal Care Option Funds]

Resolution requesting the Health and Welfare Agency of the State of California to restore the 12 percent reductions made to the In-Home Supportive Services (IHSS) program by the 1992 State Budget Act and for new State funds to improve the program and implement provisions of SB 485 (Chapter 722, 1992) and urging the Mayor to urge the Social Services Commission and the Director of the Department of Social Services to submit an IHSS plan to the State Department of Social Services that reflects the inclusion of services and programs authorized by Federal and State laws. (Supervisor Shelley presented on behalf of Supervisors Kennedy, Shelley, Alioto, Hallinan, Bierman, Migden.) Referred to Health and Public Safety Committee.

File 12-93-2

[Abortion Rights]

Resolution condemning the Supreme Court's Bray v. Alexandria Women's Health Clinic decision eliminating federal protection for women's rights to access abortion clinics. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 13-92-2

Referred to Board; Public Hearing Scheduled

[In-Home Supportive Services]

Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services contract by extending the current renewed contract for a period not to exceed five months. (Supervisor Shelley presented on behalf of Supervisor Kennedy.) Referred to Board for public hearing on January 25, 1993, at 3:00 p.m.

File 172-93-1

Referred to Committee

[Local Public Finance Authority]

Resolution declaring the intent of the Board of Supervisors of the City and County of San Francisco to propose an increase in the Transactions and Use Tax in the City and County pursuant to Chapter 3.5 of the Revenue and Taxation Code, and establishing the San Francisco County Public Finance Authority. (Supervisor Bierman presented on behalf of Supervisors Migden, Bierman.) Referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 175-93-1

Tuesday, January 19, 1993

Requests for Hearings:

File 100-92-12, By Supervisor Migden: To consider report from the Controller regarding the 1992-93 fiscal year budget status to date. Referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 146-92-15.3, By Supervisor Migden: To consider release of reserved funds, Department of Public Health, in the amount of \$880,760, for Ryan White Comprehensive AIDS Resources Emergency (CARE) Disaster Relief grant. Referred to Government Efficiency and Labor Committee.

File 12-93-3, By Supervisor Migden: To consider options for compliance with the State's medical requirements for managed health care. Referred to Health and Public Safety Committee.

File 100-93-2, By Supervisor Migden: To consider joint report by Mayor, Controller and Budget Analyst regarding the 1993-94 fiscal budget year projected revenues and expenditures. Referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 174-93-1, By Supervisors Kaufman, Alioto: To consider creating a Joint Task Force on the HIV Epidemic. Referred to Health and Public Safety Committee.

File 206-93-1, By Supervisors Hallinan, Kaufman, Bierman: To consider the eviction policy of the San Francisco Housing Authority. Referred to Housing and Land Use Committee.

File 207-93-4, By Supervisors Hallinan, Shelley: To consider the current state of Police Department intelligence activity and the implications of the Tom Gerard case. Referred to Health and Public Safety Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 102-92-12. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Airports Commission, reflecting the addition of twenty-seven positions (Classifications AA45 Telecommunications Coordinator (1), 1426 Senior Clerk Typist (1), 1446 Secretary II (1), 9202 Communications Dispatcher (8), 9203 Sr. Communications Dispatcher (2), 9209 Police Service Aide (13), 4318 Electronic Technician (1). (Civil Service Commission) Finance/Budget

File 102-92-13. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Mayor's Office of Children, Youth and Their Families, reflecting the addition of five positions (Classifications 9786 Assistant to Mayor III (1), 9782 Assistant to Mayor I (1), 9740 Staff Assistant IV, Special Project (1), 1632 Sr. Account Clerk (1), 1422 Jr. Clerk Typist (1); companion measure to File 101-92-31. (Civil Service Commission) Finance/Budget

Tuesday, January 19, 1993

File 45-93-1. [Settlement of Litigation] Authorizing settlement of litigation of Lisonia Dirden against the City and County of San Francisco, a Municipal Corporation, Robert R. Clevidence, and does 1 through 10, inclusive by payment of \$7,000. (City Attorney) Government Efficiency and Labor

File 45-93-2. [Settlement of Litigation] Authorizing settlement of litigation of Maerina against the City and County of San Francisco, by payment of \$35,000. (City Attorney) Government Efficiency and Labor

File 45-93-3. [Settlement of Litigation] Authorizing settlement of litigation of Bill Lee and Kathy Lee against the City and County of San Francisco, by payment of \$9,500. (City Attorney) Government Efficiency and Labor

File 45-93-4. [Settlement of Litigation] Authorizing settlement of litigation of Calvin Marty Sober against the City and County of San Francisco, by payment of \$9,824. (City Attorney) Government Efficiency and Labor

File 97-93-1. [Vacation Accrual] Amending Administrative Code by amending Sections 16.10 and 16.11, to provide for accrual of vacation benefits during periods of involuntary and voluntary furlough. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 97-93-2. [Sick Leave] Amending Administrative Code by amending Section 16.17, to approve amendments to leave rules and provide for accrual of sick leave benefits during periods of involuntary and voluntary furlough. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 105-93-1. [Benefits for Harbor Police Officers] Approving the provision of salary, health benefits and other terms and conditions of employment equal to those provided to Q2 Police Officers to the unrepresented classification 9350 Harbor Police Officers who sign a waiver regarding the 1990-91 wage freeze. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 124-93-1. [Traffic Regulations] Amending Traffic Code, by adding Section 28.1.93 thereto, relating to prohibiting operation of vehicles in excess of 6,000 pounds upon a portion of Newhall Street. (Department of Parking and Traffic) Housing and Land Use

Resolutions Referred to Committee

File 28-92-11.1. [Airport Administration] Approving the Controller's action of increasing the Airports Commission project budget from \$150,000 to \$500,000 for Airport Contract No. 3200, emergency environmental services at Road 18 and Road 9, San Francisco International Airport; companion measure to File 28-92-11. (Airports Commission) Finance/Budget

File 30-93-1. [California Healthcare for Indigents Program]

Tuesday, January 19, 1993

Authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for fiscal year 1992/93 and that the chairperson or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for Fiscal Year 1992/93. (Department of Public Health) Budget

File 48-93-3. [Settlement of Claim] Approving the settlement of the unlitigated claim of Frederick Aiello by payment of \$12,800. (City Attorney) Government Efficiency and Labor

File 78-93-1. [Health Service System Contributions] Establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1993-94. (Health Service System) Government Efficiency and Labor

File 93-93-1. [Memorandum of Understanding - Police] Ratifying Memorandum of Understanding with the San Francisco Police Officers' Association. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 147-93-1. [Grant - State Funds] Authorizing the City Librarian to apply for funds not to exceed \$50,000 available through the California State Library from Title III of the Library Services and Construction Act for the creation of Online Chinese Language Bibliographic Records for the Fiscal Year 1993/94. (Public Library) Finance/Government Efficiency and Labor

File 148-93-1. [Grant - State Funds] Authorizing the Director of Public Works to apply for, accept and expend grant fundings in the amount of \$49,875 from the State of California, Resources Agency for providing direct costs in the North of Market Street Central Freeway Corridor. (Department of Public Works) Finance/Government Efficiency and Labor

File 153-93-1. [Federal Challenge Grant] Authorizing the Department of Social Services to apply for, accept and expend a Federal Challenge Grant from the State Department of Social Services, Office of Child Abuse Prevention in an amount of \$896.83 to provide child abuse and neglect prevention and intervention services in Fiscal Year 1993-94; granting the department's request for a waiver of the City's indirect costs and authorizing the General Manager of the Department of Social Services to sign the application/assurance form. (Department of Social Services) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Kaufman and Alioto, that City Attorney prepare ordinance creating a Joint Task Force on the HIV Epidemic.

Tuesday, January 19, 1993

By Supervisor Conroy, that Budget Analyst analyze the information provided that office by department heads and the Health Service System concerning City employees on unpaid leave to determine the number of City employees on unpaid leave receiving health benefits.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Susan Marsh (Supervisor Alioto)
Joan Barbour (Supervisor Maher)
William Gee (Supervisor Maher)
George Hunning (Supervisor Shelley)
Lucy Bennett Livingstone (Supervisor Conroy)

File 2-93-3

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:09 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Tuesday, January 19, 1993

Approved by the Board of Supervisors on June 28, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Vol. 88

No. 4

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Monday, January 25, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, January 25, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 8.

Noted absent at first roll call:

Supervisors Hsieh, Maher, Migden - 3.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Maher was noted present at 2:14 p.m.

Supervisor Migden was noted present at 2:19 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Achtenberg, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, April 20, April 27, May 1, May 2, and May 4, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 8.

Absent: Supervisors Hsieh, Maher, Migden - 3.

CONSENT CALENDAR

Monday, January 25, 1993

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$131,500, Assessor, for professional services (joint Viacom appraisal, Phase I). (Supervisor Shelley)

File 101-92-29, Ordinance No. 33-93

Finally passed.

[Coit Tower Facility Lease]

Ordinance approving a five-year lease with Frederick Lo for management and operation of the Coit Tower Facility in San Francisco, California. (Recreation and Park Department)

File 62-92-3, Ordinance No. 30-93

Finally passed.

[Sale of Health Materials]

Ordinance amending the San Francisco Administrative Code, to authorize the Director of Public Health to sell health-related materials and establishing a fund for revenues derived from such sales. (Supervisor Alioto)

File 97-92-4, Ordinance No. 31-93

(Adds Section 8.35)

Finally passed.

[Quitclaim Deed]

Ordinance authorizing and directing execution of quitclaim deed by City and County of San Francisco to San Francisco Community College District, of City College of San Francisco site located at Ocean Avenue and Phelan Avenue; adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Shelley)

File 203-92-2, Ordinance No. 34-93

Finally passed.

Recommendation of Budget Committee

Adopted

Monday, January 25, 1993

[CHIP Funds/1992-93]

Resolution authorizing adoption of the County description of proposed expenditure of California Healthcare for Indigents Program (CHIP) Funds for fiscal year 1992/93 and that the chairperson or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County description of proposed expenditure of the CHIP Funds for fiscal year 1992/93. (Department of Public Health)

File 30-93-1, Resolution No. 42-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Finance Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$540,419, Department of Social Services, for permanent salaries and related mandatory fringe benefits and day care assistance for fiscal year 1992-93 ratifying action previous taken. (Controller)

File 101-92-21, Ordinance No. 32-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 9.

Absent: Supervisors Hsieh, Migden - 2.

Passed for Second Reading As Amended

[Sublease of Property]

Ordinance authorizing and approving sublease of real property located at 701 Frederick Street commonly known as the former Boys' Gym of Polytechnic High School to the Pickle Family Circus. (Real Estate Department)

Monday, January 25, 1993

File 65-92-21, Ordinance No.

Supervisor Bierman, seconded by Hallinan, moved to amend line 11, after "for a" by deleting "two year" and amend line 12 by replacing "1994" with "1993".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden, Shelley - 9

Absent: Supervisors Hsieh, Maher - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the report of Assessment of Costs submitted by the Director of Public Works for services ordered to be rendered to the building known as 124-126 Turk Street by said Director pursuant to the provisions of Sections 203(m) and 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-92-5

(Total Cost \$103,628.91.)

The privilege of the floor was granted to the following person:

Peter Winkler, representing property owner.

There being no one else present wishing to speak, the President declared the public hearing closed.

From Department of Public Works

Adopted

[Assessment Costs - Code Violations Abatement]

Resolution confirming report of assessment of costs submitted by the Director of Public Works for boarding and securing building and

Monday, January 25, 1993

providing security guard services to the building known as 124-126 Turk Street ordered to be rendered by said Director pursuant to the provisions of Sections 203(m) and/or 203(o) of the Building Code, the costs thereof having been paid for out of the Repair and Demolition Fund.

File 41-92-5, Resolution No. 43-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of all persons interested in or objecting to the findings that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract, by extending the current renewed contract for a period not to exceed five months.

File 172-93-1

The privilege of the floor was granted to the following person:

Dehnert Queen.

There being no one else present wishing to speak, the President declared the public hearing closed.

From Department of Social Services

Adopted

[In-Home Supportive Services Extension of Contract Renewal]
Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract, by extending the current renewed contract for a period not to exceed five months. (Supervisor Kennedy)

File 172-93-1, Resolution No. 44-93

Monday, January 25, 1993

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Hsieh, Migden - 3.

Recess

At the request of President Alioto, the Board recessed at the hour of 4:12 p.m. to convene in closed session pursuant to Government Code Section 54957, for the purpose of evaluating the performance of the Clerk of the Board of Supervisors as part of the City-wide evaluation of departmental managers program.

Reconvening of the Board

The Board, at the hour of 4:38 p.m., reconvened.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session pursuant to Government Code Section 54957, for the purpose of evaluating the performance of the Clerk of the Board of Supervisors as part of the City-wide evaluation of departmental managers program.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Peter Bunsten;
Cathy Perry;
Franklin Carter;
Al Rosa;
Harold Raskin;
Pat Carrie;
Dehnert Queen;
Sam.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

Monday, January 25, 1993

EMERGENCY CALENDAR

Finally Passed

[Government Funding]

Ordinance appropriating \$12,000,000, Department of Public Health, for contribution to agency fund (California Medical Assistance Commission); an emergency measure.

File 101-92-32, Ordinance No. 29-93

Supervisor Migden presented for immediate passage.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Hsieh - 3.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Condominium Conversion Project]

Motion approving final map of 3295 Clay Street, a condominium project, being a resubdivision of Lot 22, in Assessor's Block 1007, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-1

(January 19, 1993 - Introduced in Board for consideration on January 25, 1993.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

Monday, January 25, 1993

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-4, Resolution No. 38-93

(Raymond Baxter, Director of Health January 16 - 21 and February 1; Rand Castile, Director, Asian Art Museum, January 15, February 9 - 16 and February 26 - March 15; Richard Cordova, Executive Administrator, General Hospital, January 31 - February 3; Anne Halsted, member, Port Commission, January 16 - 22; James K. Ho, member, Airports Commission, January 16 - 20 and 24 - 25; Marie How, member, Rent Board, January 22 - 30; L. Andres Jeanpierre, member, Airports Commission, January 16 - 22; James Jefferson, member, Public Utilities Commission, January 16 - 22; Patrick A. Murphy, President, Airports Commission, January 12 - 15; Harry S. Parker, III, Director, Fine Arts Museums, February 10 - 28; Thelma Shelley, Managing Director, War Memorial, February 6 - 11; Douglas Wong, President, Port Commission, January 19 - 22, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclaim]

Resolution declaring January 22 to January 29, 1993 as "Native Voices Go Public Week" in San Francisco and urging San Francisco residents to join in celebrating the achievements of Native Americans and, in particular, the extraordinary contributions of Native American Artists.

File 4-93-2, Resolution No. 39-93

Supervisor Hallinan presented for immediate adoption.

Adopted.

Monday, January 25, 1993

[Personal Care Option Funds]

Resolution requesting the Health and Welfare Agency of the State of California to restore the 12 percent reductions made to the In-Home Supportive Services (IHSS) program by the 1992 State Budget Act and for new State funds to improve the program and implement provisions of SB 485 (Chapter 722, 1992) and urging the Mayor to urge the Social Services Commission and the Director of the Department of Social Services to submit an IHSS plan to the State Department of Social Services that reflects the inclusion of services and programs authorized by Federal and State laws.

File 12-93-2.1, Resolution No. 41-93

Supervisors Kennedy, Shelley, Alioto, Hallinan, Bierman, Migden presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Ross Alley, between Washington and Jackson Streets, on Monday, February 1, 1993, from 7:00 a.m. to 10:00 p.m., for filming by Golden Gate Productions.

File 42-93-2, Resolution No. 40-93

Supervisor Shelley presented for immediate adoption.

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Hsieh - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Lease, Real Property]

Ordinance approving lease with Crowley Marine Services Inc. for occupancy of Pier 54 controlled by the San Francisco Port Commission. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 65-93-2

Monday, January 25, 1993

[Rent Ordinance]

Ordinance amending Administrative Code by amending Section 37.7 to prohibit pass through of costs attributable to legalizing additional dwelling units under Section 207.3 of the City Planning Code. (Supervisor Hallinan presented.) Referred to Housing and Land Use Committee.

File 109-93-2

[Joint Task Force on HIV Epidemic]

Ordinance amending Administrative Code by adding Sections 5.160 through 5.165 which creates a Joint Task Force on the HIV Epidemic to advise the Board of Supervisors and the Mayor on legislation and policy related to the City's HIV policies and programs. (Supervisors Kaufman, Alioto, Shelley, Hallinan, Hsieh, Kennedy, Bierman, Maher, Conroy, Achtenberg, Migden presented.) Referred to Health and Public Safety Committee.

File 174-93-1

[Local Government Funding]

Resolution authorizing the State Legislative Representative to advocate for the City's ability to generate local revenues (AB 1930 one-half cent sales tax and extend payroll and gross receipts tax to banks and savings and loan associations). (Supervisor Migden presented.) Referred to Budget Committee.

File 12-93-4

Referred to Board

[United Nations]

Resolution saluting the U.S. Commission on improving the effectiveness of the United Nations for its selection of San Francisco as a hearing site, extending warm wishes for successful completion of its task, looking forward to its recommendations and urging all San Franciscans to support this effort to improve the effectiveness of the United Nations. (Supervisor Shelley presented.) Referred to Board February 1, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-3

Referred to Committee

[Stop Intersection]

Resolution designating certain intersections as "Stop" intersections (Holloway and Granada Avenues, Holloway and Faxon Avenues, Jones Street and Broadway). (Supervisor Kennedy presented.) Referred to Housing and Land Use Committee.

File 18-93-1

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[Candlestick Park]

Resolution urging the Mayor to urge the Recreation and Park Commission to establish a parking area within the parking lot of Candlestick Park for people with disabilities. (Supervisor Kennedy presented.) Referred to Health and Public Safety Committee.

File 193-93-1

[Grant - Federal]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$11,462,925 from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive AIDS Resources Emergency (CARE) Title I Formula Disaster Relief Grant; waiving indirect costs. (Supervisor Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 146-93-4

Requests for Hearings:

File 7-93-1, By Supervisor Alioto: To consider the complaint and disciplinary process used by Municipal Railway and the effectiveness of this process in improving Muni service. Referred to Housing and Land Use Committee.

File 30-93-2, By Supervisor Alioto: To consider departmental responses to the transmission and need for prevention of tuberculosis. Referred to Health and Public Safety Committee.

File 53-93-1, By Supervisors Alioto, Kennedy: To consider the history and progress of the Clean Water Program. Referred to Government Efficiency and Labor Committee.

File 190-93-1, By Supervisor Shelley: To consider legislation authorizing the Department of Parking and Traffic to take all necessary steps to replace damaged and/or defective parking meter equipment. Referred to Budget Committee with request it be considered at the January 27, 1993 meeting.

File 222-93-1, By Supervisor Kennedy: To consider Civil Service Commission's handling of the protest and disqualification of the 1956 Senior Purchaser's exam. Referred to Government Efficiency and Labor Committee.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 109-93-1. [Rent Ordinance] Amending the Administrative Code by amending Sections 37.4, 37.7, 37.8 and 37.11A thereof, to provide that petition for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after

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the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increases, to limit the amount tenants may recover in civil actions for null and void rent increases, and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board) Housing and Land Use

Resolutions Referred to Committee

File 38-93-2. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library in the amount of \$30,000 to fund the Director of Volunteer Services position for the remainder of fiscal year 1992/93. (Public Library) Government Efficiency and Labor

File 48-93-4. [Settlement of Claim] Approving the settlement of the unlitigated claim of Senior Counselors of the Juvenile Probation Department by payment of \$29,590.33. (City Attorney) Government Efficiency and Labor

File 64-93-1. [Lease of Real Property] Authorizing lease of real property at 827 Guerrero Street for a Department of Public Health Residential Care Facility. (Real Estate Department) Government Efficiency and Labor

File 64-93-2. [Lease of Real Property] Authorizing two lease renewals of real property at 1540 Market Street for the Department of Public Health. (Real Estate Department) Government Efficiency and Labor

File 68-93-3. [Federal Funding - Emergency Shelter Grants Program] Approving the 1993 Emergency Shelter Grants Program and expenditure schedule and authorizing the Mayor on behalf of the City and County of San Francisco to apply for, accept and expend a \$289,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. (Mayor) Government Efficiency and Labor

File 89-93-1. [State Disability Insurance] Authorizing enrollment of Classification 0678 Executive Secretary in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 192-93-1. [Grant - State Funds] Authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend \$49,000 in California Office of Traffic Safety funds for a high-accident identification project, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Government Efficiency and Labor

File 192-93-2. [Grant - State Funds] Authorizing the Executive Director of the Department of Parking and Traffic to apply for a grant in the amount of \$285,000 of California Clean Air and Transportation Improvement Act of 1990 (State Proposition 116)

funds, which include indirect costs of \$1,400 or ten percent (10%) of non-contract costs, for removal of the median on Valencia Street (Market to Mission Streets) to enable the street to be restriped with wide curb lanes to reduce bicycle/motor vehicle conflicts. (Department of Parking and Traffic) Government Efficiency and Labor

File 192-93-3. [Grant - State Funds] Authorizing the Executive Director of the Department of Parking and Traffic to apply for a grant in the amount of \$85,000 California Clean Air and Transportation Improvement Act of 1990 (State Proposition 116) funds, which include indirect costs of \$8,500 or ten percent (10%) of project costs, for signals to delineate commuter bicycle routes throughout the City and County of San Francisco. (Department of Parking and Traffic) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that City Attorney prepare charter amendment to amend Section 2.200 to allow the Board of Supervisors and committees of the Board to meet in locations other than City Hall.

By Supervisor Alioto, that letter be sent to Director, Department of Parking and Traffic, inquiring why parking meters no longer accept nickels and dimes and the process used to make the decision to alter parking meters to no longer accept such coins.

By Supervisor Alioto, that letter of inquiry be sent to General Manager, Municipal Railway, to determine why change machines, or gateways which accept dollar bills, are not installed in the light rail underground stations; the cost of installing such machines and the cost for recently hiring or re-assigning additional personnel to collect fares from patrons who do not have change.

By Supervisor Kennedy, that letters be sent to the Honorable Civil Service Commission; General Manager, Civil Service; Manager, Recruitment and Selection Division and Director of Purchasing advising them that a hearing has been called to consider Civil Service Commission's handling of the protest and disqualification of the 1956 Senior Purchaser's exam and request their attendance when the matter is calendared for consideration.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Thurgood Marshall (By entire Board)
Albert Ridley (Supervisor Kennedy)
Jane Rothschild (Supervisor Shelley)
Geza Laufer (Supervisor Shelley)
Victor E. Grupico (Supervisor Hallinan)
Nicholas James Dalrymple (Supervisor Conroy)
Robert V. William (Supervisor Conroy)

Monday, January 25, 1993

File 2-93-4

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:40 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, January 25, 1993

Approved by the Board of Supervisors on July 6, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



Vol. 88

No. 5

DOCUMENTS DEPT.

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Monday, February 1, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 1, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Kennedy, Maher - 2.

Quorum present.

Supervisor Kennedy was noted present at 3:44 p.m.

Supervisor Maher was noted present at 2:15 p.m.

Supervisor Kennedy Excused

The Clerk announced that Supervisor Kennedy requested to be excused from today's meeting because she has been called to jury duty.

Supervisor Migden, seconded by Supervisor Hallinan, moved to excuse Supervisor Kennedy from today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

Supervisor Kennedy was able to attend a portion of the meeting.

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APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Achtenberg, moved that the Journals of Proceedings for Monday, May 11; Monday, May 18; Wednesday, May 20 and Tuesday, May 26, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 9.

Absent: Supervisors Kennedy, Maher - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,400,000, San Francisco General Hospital, for capital improvement project, (Wards 14 and 15 renovation) for fiscal year 1992-93; placing \$1,140,000 on reserve. (Supervisor Gonzalez)

File 101-92-23, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$220,000, Public Defender, for permanent salaries, related mandatory fringe benefits, for fiscal year 1992-93. (Controller)

File 101-92-30, Ordinance No.

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

Monday, February 1, 1993

UNFINISHED BUSINESS

Recommendation of Finance Committee

Finally Passed

[Sublease of Property]

Ordinance authorizing and approving sublease of real property located at 701 Frederick Street commonly known as the former Boys' Gym of Polytechnic High School to the Pickle Family Circus. (Real Estate Department)

File 65-92-21, Ordinance No. 38-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Budget Committee

Adopted

(Supervisor Hsieh dissenting in Committee.)

[Redevelopment Agency Budget and Bonds]

Resolution approving an amendment to the Budget of the Redevelopment Agency for fiscal year 1992-93. (Supervisor Gonzalez)

File 161-92-5.1, Resolution No.

(January 19, 1993 - Referred to Budget Committee by the Board.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

Monday, February 1, 1993

[Equipment Lease]

Ordinance providing for the approval and execution and delivery by Officers of the City and County of San Francisco of an Equipment Lease Supplement No. 2 between the City and County of San Francisco Finance Corporation, as lessor and the City and County of San Francisco, as lessee with respect to equipment to be used for City purposes and the related certificate of approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of lease revenue bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith.
(Chief Administrative Officer)

File 170-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Airport Administration]

Resolution approving the Controller's action of increasing the Airports Commission project budget from \$150,000 to \$500,000 for Airport Contract No. 3200, emergency environmental services at Road 18 and Road 9, San Francisco International Airport. (Airports Commission)

File 28-92-11.1, Resolution No. 82-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as Amended

(Supervisor Hsieh dissenting in Committee.)

[Local Public Finance Authority]

Resolution declaring the intent of the Board of Supervisors of the City and County of San Francisco to propose an increase in the Transactions and Use Tax in the City and County pursuant to Chapter 3.5 of the Revenue and Taxation Code, and establishing the San Francisco County Public Finance Authority. (Supervisors Migden, Bierman, Alioto)

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File 175-93-1, Resolution No. 48-93

Supervisor Kaufman, seconded by Supervisor Maher, moved to amend by adding a further resolved clause as follows: "FURTHER RESOLVED, That the Board of Supervisors, in approving this measure, expresses its strong view that the Authority shall not approve any sales tax measure that would place the composite sales tax rate above the current rate of 8.5 percent".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Migden, Shelley - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Kennedy - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendations of Health and Public Safety Committee

Adopted as Amended

[911 Supervision]

Resolution urging the Mayor to urge the Police Commission to consider the civilianization of the supervisory positions in the Police Department Communications Center; providing for quarterly reports. (Supervisors Shelley, Bierman, Migden, Kennedy)

File 207-92-11.2, Resolution No. 80-93

Supervisor Hsieh, seconded by Supervisor Shelley, moved to amend title, line four, by inserting "; providing for quarterly reports"; and amend page two, line six by adding the following resolved clause: "FURTHER RESOLVED, That the Board of Supervisors requests that the Police Commission provide a written quarterly report to the Board of Supervisors on the first days of May, August and November of 1993, and February, May and August of 1994. Each report shall describe the progress of the Police Department in addressing the issue which is the subject of this resolution".

Motion to amend adopted by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Bierman, Migden and Kennedy requested to be added as co-sponsors.

Adopted as Amended

[911 Public Education]

Resolution urging the Mayor to urge the Police Commission to institute a public education program to inform the public of the proper use of 911; providing for quarterly reports. (Supervisors Shelley, Bierman, Migden, Kennedy)

File 207-92-11.3, Resolution No. 81-93

Supervisor Hsieh, seconded by Supervisor Shelley, moved to amend title, line four, by inserting "; providing for quarterly reports"; amend page two, line eight by adding the following resolved clause: "FURTHER RESOLVED, That the Board of Supervisors requests that the Police Commission provide a written quarterly report to the Board of Supervisors on the first days of May, August and November of 1993, and February, May and August of 1994. Each report shall describe the progress of the Police Department in addressing the issue which is the subject of this resolution".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Bierman, Migden and Kennedy requested to be added as co-sponsors.

Monday, February 1, 1993

Adopted as Amended

[911 Response Goals]

Resolution urging the Mayor to urge the Police Commission to establish response-time goals for the 911 and non-emergency lines; providing for quarterly reports. (Supervisors Shelley, Bierman, Migden, Kennedy)

File 207-92-11.4, Resolution No. 83-93

Supervisor Hsieh, seconded by Supervisor Shelley, moved to amend title, line three, by inserting "; providing for quarterly reports"; and by adding the following resolved clause: "FURTHER RESOLVED, That the Board of Supervisors requests that the Police Commission provide a written quarterly report to the Board of Supervisors on the first days of May, August and November of 1993, and February, May and August of 1994. Each report shall describe the progress of the Police Department in addressing the issue which is the subject of this resolution".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

In connection with the above item, Supervisors Bierman, Migden and Kennedy requested to be added as co-sponsors.

Adopted as Amended

[911 Dispatcher Health]

Resolution urging the Mayor to urge the Police Commission to develop a program to reduce dispatcher injuries and illnesses and to maintain staffing at authorized levels; providing for quarterly reports. (Supervisors Shelley, Bierman, Migden, Kennedy)

File 207-92-11.5, Resolution No. 84-93

Supervisor Hsieh, seconded by Supervisor Shelley, moved to amend title, line four, by inserting "; providing for quarterly reports"; and by adding the following resolved clause: "FURTHER RESOLVED, That the Board of Supervisors requests that the Police Commission provide a written quarterly report to the Board of Supervisors on the first days of May, August and November of 1993, and February,

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May and August of 1994. Each report shall describe the progress of the Police Department in addressing the issue which is the subject of this resolution".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as Amended

[Communications Center Automated Attendant]
Resolution urging the Mayor to urge the Police Commission to find alternatives to installing an automated attendant system on the non-emergency line; providing for quarterly reports. (Supervisors Shelley, Bierman, Migden, Kennedy)

File 207-92-11.6, Resolution No. 85-93

Supervisor Hsieh, seconded by Supervisor Shelley, moved to amend title, line four, by inserting "; providing for quarterly reports"; and by adding the following resolved clause: "FURTHER RESOLVED, That the Board of Supervisors requests that the Police Commission provide a written quarterly report to the Board of Supervisors on the first days of May, August and November of 1993, and February, May and August of 1994. Each report shall describe the progress of the Police Department in addressing the issue which is the subject of this resolution".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

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In connection with the above item, Supervisors Bierman, Migden and Kennedy requested to be added as co-sponsors.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Virginia Conroy.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[United Nations]

Resolution saluting the U.S. Commission on improving the effectiveness the United Nations for its selection of San Francisco as a hearing site, extending warm wishes for successful completion of its task, looking forward to its recommendations and urging all San Franciscans to support this effort to improve the effectiveness of the United Nations. (Supervisors Shelley, Alioto, Bierman)

File 13-93-3, Resolution No. 79-93

(January 25, 1993 - Introduced in Board for consideration on February 1, 1993.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Monday, February 1, 1993

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Achtenberg requested that the following measure be severed from the Consent Calendar and considered separately.

Tabled

[Street Closing]

Resolution authorizing temporary closing of portions of Castro and Eighteenth Streets, for Mardi Gras 1993, a fund raising event benefiting the University of California, San Francisco, AIDS Health Project, and the Community United Against Violence; providing for insurance; waiving certain fees. (Supervisor Achtenberg)

File 42-93-3, Resolution No.

(Castro Street, between Market and Nineteenth Streets; and Eighteenth Street, between Collingwood and Hartford Streets, from 6:00 p.m., Tuesday, February 23, 1993, until 1:00 a.m., Wednesday, February 24, 1993.)

Supervisor Achtenberg, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-5, Resolution No. 45-93

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(David Detrick, member, Police Commission, January 16 - 22 and January 26 - April 2; Thomas Elzey, General Manager, Public Utilities Commission, January 22 - 24; Anne Halsted, member, Port Commission, February 1 - 14; Fred E. Jordan, Jr., Chief Probation Officer, March 11 - 13; Louise Renne, City Attorney, January 20 - 21; Anthony Rodriguez, member, Police Commission, February 12 - 18; L.A. Turpen, Director of Airports, January 22 - 25, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Federal Service]

Resolution endorsing changes in Federal rules and laws forbidding discrimination on the basis of sexual orientation in the military or in government service.

File 13-93-4, Resolution No. 46-93

Supervisors Alioto, Migden, Bierman, Hallinan, Kaufman presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Bush, Pierce and Sutter Streets, with conditions, on February 14, 1993 from 12:30 p.m. to 2:00 p.m. for church congregational march.

File 42-93-4, Resolution No. 47-93

Supervisor Alioto presented on behalf of Supervisor Kennedy for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, February 1, 1993

Referred to Committee

[Campaign Statement Filing]

Draft Ordinance amending Administrative Code by adding Article XIIB, Sections 16.534 through 16.538 to require candidates and political committees to file copies of their campaign statements on computer diskette. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-4

[Doyle Drive]

Resolution urging the California Department of Transportation to expedite inclusion of a rebuilding of Doyle Drive in the next State transportation funding cycle and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the February 4, 1993 meeting.

File 55-92-1

Referred to Board

[Candlestick Park Parking Agreement]

Resolution rescinding Resolution No. 1031-92 which approved an amendment to the Candlestick Park Parking Lot Operating Agreement between the Recreation and Park Commission and the San Francisco Giants designating the Giants as exclusive operators of the parking lot during baseball season and reducing the City's revenues by approximately \$1,150,000 per year. (Supervisor Hallinan presented.) Referred to Board February 8, 1992 For Adoption Without Committee Reference Calendar.

File 65-92-19.1

[Proclamation]

Resolution urging the Mayor to declare February 5, 1993 as Terry A. Francois Day in San Francisco in recognition of his great contributions to the City and County of San Francisco. (Supervisor Alioto presented on behalf of Supervisors Kennedy, Maher.) Referred to Board February 8, 1992 For Adoption Without Committee Reference Calendar.

File 4-93-3

Referred to Committee

[State Legislation, SCR 6 - Transportation]

Resolution supporting Senate Concurrent Resolution 6, a resolution urging the Governor to establish the Intercity High-speed Rail

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Committee, which would prepare a 20-year high-speed intercity ground transportation plan with construction beginning in the year 2000. (Supervisor Maher presented.) Referred to Housing and Land Use Committee.

File 12-93-5

[General Services Administration]
Resolution urging the General Services Administration to maintain its administrative operations in San Francisco. (Supervisors Kaufman, Alioto, Shelley presented.) Referred to Economic Vitality and Social Policy Committee.

File 13-93-5

[Redevelopment Survey Area]
Resolution designating and describing a Redevelopment Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law (10th and Market Streets, proposed new Federal office building site). (Supervisor Migden presented.) Referred to Housing and Land Use Committee.

File 161-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 2.200 to permit the board of supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 180-93-1

[Ballot Measure]
Charter amendment (skeletal) adding Section 3.204 relating to the filling of vacancies in the office of the member of the board of supervisors. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 181-93-1

[Ballot Measure]
Charter amendment (skeletal) amending Section 3.104 relating to the filling of vacancies in the office of mayor. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 182-93-1

Monday, February 1, 1993

Requests for Hearings:

File 97-93-5, By Supervisor Maher: To consider reducing the interest rate on rental deposits landlords must pay tenants to a level which more closely matches the interest rates banks pay. Referred to Housing and Land Use Committee.

File 97-93-6, By Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto: To consider implementing the San Francisco Sunshine Law affecting meetings, records, speech and comment. Referred to Rules Committee.

File 118-93-1, By Supervisor Maher: To consider requiring the posting of a sign where non-compatible latex lubricants are sold. Referred to Health and Public Safety Committee.

File 179-93-1, By Supervisor Achtenberg: To consider family access to housing. Referred to Housing and Land Use Committee with request it be considered at the February 4, 1993 meeting.

File 207-93-5, By Supervisor Conroy: To consider City departments' responses to felonies committed by youth. Referred to Health and Public Safety Committee.

File 207-93-6, By Supervisor Maher: To consider actions of police cadets who discharged weapons at graduation of the cadet class. Referred to Health and Public Safety Committee.

File 56-93-1 [Rules of Order] Motion amending Rules of Order of the Board of Supervisors by amending Rules 4.20, 4.31 and 4.24 to require that legislation be available to the public for 30 days before action is taken by the Board of Supervisors. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 102-92-14. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Police Department, reflecting the addition of sixteen positions (Classifications 8238 Police Communications Dispatcher (13) and 8239 Senior Police Communications Dispatcher (3). (Civil Service Commission) Budget

File 102-92-15. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Mayor's Office, reflecting the addition of two positions (Classification 9736 Staff Assistant II, Special Project). (Civil Service Commission) Budget

File 34-93-1. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1508 re-establishing the official width of sidewalk on the east side of DeHaro Street between 16th and 17th Streets, said

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sidewalk width to be eight feet; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 45-93-5. [Settlement of Litigation] Authorizing settlement of litigation of Roseanne Deamicis against the City and County of San Francisco, by payment of \$8,000. (City Attorney) Government Efficiency and Labor

File 97-93-3. [P.O.S.T. - Coroner] Amending Administrative Code by adding Section 10.117-3.1 to authorize receipt of state funds for the participation of the peace officer members of the Coroner's Office in the Peace Officer's Standards and Training (P.O.S.T.). (Chief Medical Examiner - Coroner) Government Efficiency and Labor

File 124-93-2. [Residential Permit Parking - Foreign Consulates] Amending Traffic Code (Residential Permit Parking Program) by adding Section 308.6 thereto, to provide for the issuance of two additional residential parking permits to foreign consulates. (Department of Parking and Traffic) Housing and Land Use

File 172-93-3. [Third Amendment to Marine Terminal Agreement] Approval of Third Amendment to Marine Terminal Agreement between Nedlloyd Lines and the San Francisco Port Commission. (Port) Government Efficiency and Labor

Resolutions Referred to Committee

File 146-92-46.1 [Grant - State Funds] Authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to expend \$76,768 of grant funds which excludes indirect costs from the State Department of Health Services to fund the contractor, Polaris Research and Development to implement a comprehensive evaluation of the 1992-94 Comprehensive Tobacco Control Plan; companion measure to Files 146-92-45 and 146-92-46. (Department of Public Health) Government Efficiency and Labor

File 146-92-60.1. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of \$844,125, which includes indirect costs in the amount of \$68,424 based on twenty percent of salaries and wages from the California Department of Health Services for the continuation of the Hepatitis B immunizations to infants and selected middle school residents of San Francisco; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 48-93-5. [Settlement of Claim] Approving the settlement of the unlitigated claim of Kemper Insurance by payment of \$6,267.37. (City Attorney) Government Efficiency and Labor

File 48-93-6. [Settlement of Claim] Approving the settlement of the unlitigated claim of Kathleen A Ortenzi by payment of \$19,500.00. (City Attorney) Government Efficiency and Labor

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File 49-93-1. [Settlement of Claim] Approving the settlement of the litigated claim of the Atchison, Topeka and Santa Fe Railroad Company ("Santa Fe") in the sum of \$11,710.65. (City Attorney) Government Efficiency and Labor

File 89-93-2. [State Disability Insurance] Authorizing enrollment of Classification 1235 Affirmative Action Coordinator in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 146-93-3. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of \$48,215, which includes indirect costs in the amount of \$3,708, based on twenty percent of salaries from State Emergency Medical Services Authority, for the development of San Francisco EMS Data Linkage Project. (Department of Public Health) Government Efficiency and Labor

File 146-93-5. [Grant - Federal Subvention through the State Funds] Authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant subvention up to the amount of \$4,700,000, which includes indirect costs from the United States Department of Health and Human Services - Substance Abuse and Mental Health Administrative Services as subvented through the State of California, Department of Alcohol and Drug Programs to reduce waiting lists for substance abuse services and lessen the threat of H.I.V. transmission; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

File 146-93-6. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, Department of Epidemiology and Disease Control, STD Control Division, to accept and expend an augmentation grant of \$627,238, which includes indirect costs of \$71,099, based on twenty percent of personnel salaries from the Centers for Disease Control, for the provision of STD services. (Department of Public Health) Government Efficiency and Labor

File 146-93-7. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$89,367, from San Francisco Community Clinic Consortium as prime grantee of the U.S. Health Resources and Services Administration, for HIV early intervention services to residents of San Francisco; waiving indirect costs; and providing ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 150-93-1. [Grant - State Funds] Authorizing the Recreation and Park Department to apply for grant funds in an amount up to \$287,500, which includes up to \$19,263 or 6.7% for indirect costs, from the Land and Water Conservation Fund Program, for India Basin Wetlands Restorations, Phase II Project. (Recreation and Park Department) Government Efficiency and Labor

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File 172-93-2. [Hold Harmless Agreement] Authorizing the Port of San Francisco to hold the State of California harmless for claims arising from maintenance and demolition work on Piers 24, 26 and 28. (Port) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that letters be sent to City Attorney and Assessor requesting monthly reports on the status of investigations regarding the assessment of property located at One Market Plaza.

By Supervisor Shelley, that City Attorney prepare amendment to the Children's legislation that will create an advisory body (commission) to the Mayor's Office of Children Youth and Families that will have oversight and budgetary approval authority over this office and to place a cap on the administrative expenses associated with the fund.

By Supervisor Alioto, that letter be sent to Sheriff inquiring into efforts made to place inmates into the Pontiac Hotel, the impact of these plans on residents, efforts made to re-locate housing for the residents and to replace lost low-income housing and other options reviewed by the Sheriff which would not have removed low-income housing stock from residential use.

By Supervisor Maher, that City Attorney prepare ordinance requiring the posting of a sign where non-compatible latex lubricants are sold.

By Supervisor Maher, that City Attorney prepare ordinance which would reduce the interest rate on rental deposits landlords must pay tenants to a level which more closely matches the interest rates banks pay.

By Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto, that City Attorney prepare ordinance to implement the San Francisco Sunshine Law affecting meetings, records, speech and comment.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Antonio Ruvolo (Supervisor Alioto)
Jerry Guevel (Supervisor Maher)
Evelyn Kurtz (Supervisor Hallinan)

File 2-93-5

Unanimously adopted by a rising vote.

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ADJOURNMENT

There being no further business, the Board at the hour of 3:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on July 12, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



Vol. 88

No. 6

DOCUMENTS DEPT.

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Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 8, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Maher, Migden - 3.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Maher was noted present at 2:14 p.m.

Supervisor Migden was noted present at 2:13 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to excuse Supervisor Achtenberg from today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

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APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Maher, moved that the Journals of Proceedings for Monday, June 1, 8 and 15, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$1,400,000, San Francisco General Hospital, for capital improvement project, (Wards 14 and 15 renovation) for fiscal year 1992-93; placing \$1,140,000 on reserve. (Supervisor Gonzalez)

File 101-92-23, Ordinance No. 35-93

Finally passed.

[Government Funding]

Ordinance appropriating \$220,000, Public Defender, for permanent salaries, related mandatory fringe benefits, for fiscal year 1992-93. (Controller)

File 101-92-30, Ordinance No. 36-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of attorney fee litigation for services performed in 1991 in Stone, et al., v. City and County, et al. (City Attorney)

File 45-92-70, Ordinance No.

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(U.S. District Court No. C78-2774 WHO.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of First Federal Savings and Loan Association against the City and County, by payment of \$45,881.37. (City Attorney)

File 45-92-71, Ordinance No.

(Superior Court No. 943-701)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Elena Maggin v. City and County, et al by payment of \$7,000. (City Attorney)

File 45-92-72, Ordinance No.

(Superior Court No. 939-040)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Carlos Cordon v. Casey, et al against the City and County, by payment of \$20,000. (City Attorney)

File 45-92-73, Ordinance No.

(U.S. District Court No. C91-4215 RHS)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Austin Louis Wilson against the City and County, by payment of \$6,018.90. (City Attorney)

File 45-92-74, Ordinance No.

(U.S. District Court No. C92-0986 EFL)

Passed for second reading.

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[Settlement of Litigation]

Ordinance authorizing settlement of litigation of R. Michael Rapoport v. City and County, et al by payment of \$15,000. (City Attorney)

File 45-92-75, Ordinance No.

(Superior Court No. 940-077.)

Passed for second reading.

[Vallejo Street Garage Lease]

Ordinance approving and adopting Vallejo Street garage legal documents and authorization for management agreement. (Department of Parking and Traffic)

File 47-92-8, Ordinance No.

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Farmers Insurance Group by payment of \$10,438.61. (City Attorney)

File 48-92-25, Resolution No. 53-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Neale Storm by payment of \$25,000. (City Attorney)

File 48-93-1, Resolution No. 51-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Natividad Taguiam by payment of \$13,500. (City Attorney)

File 48-93-2, Resolution No. 52-93

Adopted.

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[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for a grant of \$48,700, which includes indirect costs in the amount of \$2,700, based on twenty percent of salaries from State Emergency Medical Services Authority, for the development of Uniform Prehospital Treatment Guidelines. (Department of Public Health)

File 146-93-2, Resolution No. 69-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Reconsideration by the Board

From the Clerk

Referred to Committee

[Approving Giants Candlestick Park Lease Amendment]

Ordinance approving a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately \$925,000 per year (amount will vary with attendance) through the year 1997, and assigns the right to further revenues in the amount of approximately \$440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease. The City further assumes the obligations for utilities and maintenance of the playing field at a cost of approximately \$250,000 per season; and adding provision requiring the San Francisco Giants to provide complimentary tickets and specifying effective date. (Supervisor Alioto)

File 65-92-15, Ordinance No. 365-92

- (December 21, 1992 - Finally passed.
- December 22, 1992 - Approved by Mayor.
- January 21, 1993 - Protest petition filed.
- January 29, 1993 - Registrar certified signatures on petitions are sufficient.)

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(Charter Section 9.108 provides that unless, after the ordinance has been reconsidered, it is repealed in its entirety, the Board shall submit the ordinance to the vote of the electors at the next general election or at a special election called for that purpose. A motion to reaffirm the ordinance would be appropriate.)

Supervisor Alioto, seconded by Supervisors Maher and Hsieh, moved to refer to the Budget Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisor Achtenberg - 1.

[Repeal - Giants Candlestick Lease Amendment Ordinance]
Ordinance repealing Ordinance 365-92, the Giants Candlestick Park lease amendment ordinance which approved a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately \$925,000 per year (amount will vary with attendance) through the year 1997, and assigns the right to further revenues in the amount of approximately \$440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease, by which ordinance the City further assumed the obligations for utilities and maintenance of the playing field at a cost of approximately \$250,000 per season, added a provision requiring the San Francisco Giants to provide complimentary tickets, and specified the effective date of the ordinance.

File 65-92-15.1, Ordinance No.

Supervisor Alioto, seconded by Supervisors Maher and Hsieh, moved to refer to the Budget Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisor Achtenberg - 1.

[Referendum Submission - Giants Lease Amendments]
Motion ordering submitted Ordinance 365-92, the Giants Candlestick Park Lease Amendment Ordinance, for approval or disapproval at the Municipal Election to be held on November 2, 1993.

File 60-93-1

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Supervisor Alioto, seconded by Supervisors Maher and Hsieh, moved to refer to the Budget Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisor Achtenberg - 1.

Recommendation of Budget Committee

Finally Passed

[Equipment Lease]

Ordinance providing for the approval and execution and delivery by Officers of the City and County of San Francisco of an Equipment Lease Supplement No. 2 between the City and County of San Francisco Finance Corporation, as lessor and the City and County of San Francisco, as lessee with respect to equipment to be used for City purposes and the related Certificate of Approval; providing for reimbursement to the City of certain City expenditures prior to the issuance of lease revenue bonds and approving the issuance of Lease Revenue Bonds by said nonprofit corporation; and providing that said bonds shall be subject to the certification of the Controller of the City and County of San Francisco prior to the sale of said bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith.
(Chief Administrative Officer)

File 170-93-1, Ordinance No. 37-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$2,750, Superior Court, for permanent salaries and related mandatory fringe benefits, for the creation of one (1) position and deletion of one (1) position, for fiscal year 1992-93. (Controller)

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File 101-92-26, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Superior Court, reflecting the reclassification of one (1) position; companion measure to File 101-92-26. (Civil Service Commission)

File 102-92-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

(Supervisor Hsieh dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$70,804, Mayor's Office of Children, Youth and their Families, for permanent salaries - miscellaneous and related mandatory fringe benefits and rescinding \$46,742 from other contractual services, for the creation of five positions, for fiscal year 1992-93. (Supervisor Achtenberg)

File 101-92-31, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Maher - 2.

The President reassumed the Chair.

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(Supervisor Hsieh dissenting in Committee.)

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Mayor's Office of Children, Youth and Their Families, reflecting the addition of five positions; companion measure to File 101-92-31. (Civil Service Commission)

File 102-92-13, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Maher - 2.

Consideration Continued

[Board of Supervisors - Fees]

Ordinance amending Administrative Code by adding Section 8.37 thereto, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors and filing of appeals and authorizing the Clerk of the Board to waive, in exigent circumstances, the fees authorized by this section. (Clerk of the Board)

File 97-92-67, Ordinance No.

Supervisor Shelley, seconded by Supervisor Kennedy, moved to continue consideration to February 16, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair.

Adopted

[Local Government Funding]

Resolution authorizing the State Legislative Representative to advocate for the City's ability to generate local revenues. (Supervisor Migden)

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File 12-93-4, Resolution No. 49-93

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Awards Program]

Ordinance amending Administrative Code by adding Section 10.109-11, relating to the establishment and administration of the Department of Electricity and Telecommunications Awards Fund. (Department of Electricity and Telecommunications)

File 97-92-71, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

[Benefits for Harbor Police Officers]

Ordinance approving the provision of salary, health benefits and other terms and conditions of employment equal to those provided to Q2 Police Officers to the unrepresented classification 9350 Harbor Police Officers who sign a waiver regarding the 1991-92 wage freeze. (Employee Relations Division)

File 105-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

Adopted

[Grant - State Funds]

Resolution authorizing the Public Utilities Commission/Bureau of Energy Conservation to apply for, accept and expend funds of up to \$100,000 available from the California Energy Commission for emergency energy preparedness activities; this amount is comprised

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of salaries and wages \$50,373, benefits and overhead \$44,077, travel \$2,750, other expense \$2,800 and includes a fifty percent indirect ("Overhead") cost of \$31,483; providing for ratification of action previously taken. (Public Utilities Commission)

File 94-92-11, Resolution No. 67-93

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

The President reassumed the Chair.

Lease of Property]

Resolution authorizing lease to State of California of certain land on Moccasin Creek, Tuolumne County, California, for fish hatchery; retroactive to July 1, 1992. (Real Estate Department)

File 65-93-1, Resolution No. 54-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Juvenile Justice/Delinquency Prevention Grant]

Resolution authorizing the Mayor to apply for, accept and expend, retroactively, funds in the amount of \$3,738, which includes indirect costs of \$187 based on 5 percent of total grant award made available through the Office of Criminal Justice Planning for a project entitled "1992/93 JJDP Planning Grant" and agreeing to provide cash match in the amount of \$3,738. (Mayor)

File 68-93-1, Resolution No. 55-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[1992 State Realignment]

Resolution authorizing the Mayor's Criminal Justice Council of the

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City and County of San Francisco to apply for, accept and expend retroactively, funds totalling \$857,969 from State Realignment funds for the 1992/93 "County Justice System Subvention Program" (CJSSP); providing allocations; designating program coordinator; placing \$240,575 (\$171,593 of unallotted funds and \$68,982 of working reserve) in reserve; and waiving any indirect cost. (Mayor)

File 68-93-2, Resolution No. 56-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Federal Funding - Emergency Shelter Grants Program]
Resolution approving the 1993 Emergency Shelter Grants Program and expenditure schedule and authorizing the Mayor to apply for, accept, and expend a \$289,000 entitlement under the Emergency Shelter Grants Program from the U.S. Department of Housing and Urban Development. (Mayor)

File 68-93-3, Resolution No. 57-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Memorandum of Understanding - Police]
Resolution ratifying Memorandum of Understanding with the San Francisco Police Officers' Association. (Employee Relations Division)

File 93-93-1, Resolution No. 66-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Grant - State Funds]
Resolution authorizing the Department of Public Health, Central Administration, to accept and expend a grant of \$29,445, which includes indirect costs in the amount of \$2,945, based on ten

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percent of the total award from the State Department of Health Services, to provide health education materials, supplies, and travel costs for health administrative and technical staff; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-1, Resolution No. 68-93

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

[Grant - Federal]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend retroactively a continuation grant of \$11,462,925 from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive AIDS Resources Emergency (CARE) Title I Formula Disaster Relief Grant; waiving indirect costs. (Health Department)

File 146-93-4, Resolution No. 70-93

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

[Grant - State Funds]

Resolution authorizing the City Librarian to apply for funds not to exceed \$50,000 which includes indirect cost of up to \$2500 (5 percent) of total grant award, available through the California State Library from Title III of the Library Services and Construction Act for the creation of online Chinese Language Bibliographic Records for the fiscal year 1993/94. (Public Library)

File 147-93-1, Resolution No. 71-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Grant - State Funds]

Resolution authorizing the Director of Public Works to apply for, accept and expend, retroactively, grant fundings in the amount of

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\$49,875 from the State of California, Resources Agency for providing direct costs in the North of Market Street Central Freeway Corridor; and waiving indirect cost. (Department of Public Works)

File 148-93-1, Resolution No. 72-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Federal Challenge Grant]

Resolution authorizing the Department of Social Services to apply for, accept and expend a Federal Challenge Grant from the State Department of Social Services, Office of Child Abuse Prevention in an amount of \$896.83 to provide child abuse and neglect prevention and intervention services in fiscal year 1993-94; granting the department's request for a waiver of the City's indirect costs and authorizing the General Manager of the Department of Social Services to sign the application/assurance form. (Department of Social Services)

File 153-93-1, Resolution No. 73-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisor Achtenberg, Bierman, Maher - 3.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the Maternal Child and Adolescent Health Board, for the new three-year term ending August 31, 1995. (Rules Committee)

File 92-89-32, Resolution No. 60-93

(Winchell W. Quock, M.D., vice Nicolette Collins, health professional provider, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

Monday, February 8, 1993

[Appointment]

Resolution appointing member to the Hazardous Materials Advisory Committee, for the unexpired portion of a four-year term ending July 15, 1994; making findings waiving residency requirement. (Rules Committee)

File 92-90-14, Resolution No. 59-93

(Kathleen M. Kahler, health educator, vice Judith Guerriero, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Maher - 3.

[Appointments]

Resolution appointing members to the Elder Abuse Task Force, for term ending July 1, 1993; making findings waiving residency requirements. (Rules Committee)

File 92-92-46, Resolution No. 61-93

(Tress Stewart, Department of Public Health;
Sadie Hutton, Department of Social Services;
Dennis Gustafson, Police Department;
Jo Ruffin, Department of Public Health, Mental Health;
Donna Medley, District Attorney;
Margaret Doherty, Mayor's Office.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointments]

Resolution appointing members to the Bicycle Advisory Committee, terms expired, for the three-year terms ending December 31, 1995.

File 92-92-52, Resolution No. 62-93

(Patrice McElroy, at-large, vice herself;
Andrew Vesselinovitch, at-large, vice Jon Poschman.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Monday, February 8, 1993

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee, for the unexpired portion of the three-year term ending June 30, 1993; making findings waiving the residency requirement. (Rules Committee)

File 92-92-63, Resolution No. 63-93

(Linda M. Mann, University of California, San Francisco, vice William Harris, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Question Divided; Adopted as Divided

[Appointments]

Resolution appointing members to the Delinquency Prevention Commission, terms expired, for new four-year terms ending December 31, 1996. (Rules Committee)

File 92-92-66.2, Resolution No. 64-93

((Raymond Benson, vice self;))
Father James E. Goode, OFM, vice Scott Hauge;
James L. Howard, vice Laura Asselin.)

At the request of Supervisor Hallinan, the question was divided with respect to the appointment of Raymond Benson, so that matter could be considered separately.

The roll was then called on the main resolution, as divided, and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

[Appointments]

Resolution appointing Raymond Benson to the Delinquency Prevention Commission, vice self, term expired, for new four-year term ending December 31, 1996. (Rules Committee)

Monday, February 8, 1993

File 92-92-66.3, Resolution No. 65-93

Supervisor Hallinan, seconded by Supervisor Bierman, moved to rerefer to Committee.

After a period of discussion, Supervisor Conroy, seconded by Supervisors Hsieh and Migden, moved the previous question.

The Clerk then stated "Shall the previous question be now put?"

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

The roll was called on the motion to rerefer to Committee and it was refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Migden - 4.

Noes: Supervisors Alioto, Conroy, Hsieh, Kennedy - 4.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

The roll was then called on the resolution and it was adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Migden - 6.

Noes: Supervisors Bierman, Hallinan - 2.

Absent: Supervisor Achtenberg, Maher, Shelley - 3.

Adopted

[Appointment]

Resolution appointing member of the Board of Supervisors to the Association of Bay Area Governments (ABAG), Executive Board, for unexpired portion of two year term ending June 30, 1993. (Rules Committee)

File 92-93-6, Resolution No. 58-93

(Supervisor Carole Migden, vice Supervisor Tom Hsieh, resigned.)

Supervisor Migden Excused From Voting

On advise of the City Attorney, Supervisor Migden requested to be excused from voting.

Monday, February 8, 1993

Thereupon, Supervisor Hallinan, seconded by Supervisor Hsieh, moved to excuse Supervisor Migden from voting.

Motion to excuse Supervisor Migden from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

Resolution adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy - 7.

Excused: Supervisor Migden - 1.

Absent: Supervisors Achtenberg, Maher, Shelley - 3.

COMMITTEE REPORTS

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "stop" intersections. (Supervisor Kennedy)

File 18-93-1.1, Resolution No. 50-93

(Stop Signs - Establish

Holloway and Granada Avenue, northeast and southwest corners, stopping Holloway Avenue traffic (makes this an all-way Stop);

Holloway and Faxon Avenues, northeast and southwest corners, stopping Holloway Avenue traffic (makes this an all-way Stop).)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Supervisor Maher Excused

Monday, February 8, 1993

President Alioto announced she had excused Supervisor Maher from the remainder of the meeting.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen;
Ramona Albright;
Shelley Salieri;
Michael Orfeld;
Marge Gerald;
John Doe;
Alex;
Mario Ventore;
Frank Morry;
Sandy Prince;
Irene Thompson;
Sam Jones;
Dick;
Charles Henrick;
Ray Smith.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Tabled

[Rescinding Resolution No. 1031-92, Candlestick Parking Agreement]
Resolution rescinding Resolution No. 1031-92, which approved an amendment to the Candlestick Park Parking Lot Operating Agreement between the Recreation and Park Commission and the San Francisco Giants designating the Giants as exclusive operators of the parking lot during baseball season and reducing the City's revenues by approximately \$1,150,000 per year. (Supervisor Hallinan)

File 65-92-19.1, Resolution No.

(February 1, 1993 - Introduced in Board for consideration on February 8, 1993.)

Monday, February 8, 1993

Supervisor Maher, seconded by Supervisor Hsieh, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher - 6.

Noes: Supervisors Bierman, Hallinan, Migden, Shelley - 4.

Absent: Supervisor Achtenberg - 1.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-6, Resolution No. 75-93

(Roberta Achtenberg, member, Board of Supervisors, February 7-12; Willie B. Kennedy, member, Board of Supervisors, February 13-16, 25 - March 10, 1993; Raymond Baxter, Director of Health, February 3 - 4; Patricia E. Evans, member, Social Services Commission, January 27 - 29; James K. Ho, member, Airports Commission, February 10 - March 3; Charles D. Morrow, member, Fire Commission, February 18 - March 10, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Task Force on Youth Employment]

Resolution amending Resolutions 856-92, 964-92 and 982-92, establishing a Task Force on Youth Employment and appointing members thereto, to provide that the task force shall come up with guidelines for a Comprehensive Youth Employment Program within 120 days, instead of 60 days, of its appointment and extending the terms of members appointed to the task force by an additional 60 days.

File 250-92-1.1, Resolution No. 78-93

Monday, February 8, 1993

Supervisor Kennedy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Leavenworth Street, between Turk and Eddy Streets, on Thursday, February 18, and Friday, February 19, 1993, from 7:00 a.m. to 7:00 p.m. for filming.

File 42-93-5, Resolution No. 76-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portions of Lilac Alley, Bush, Grove, Stockton, California Streets, Quincy Alley and McAllister Street on various dates and times with certain conditions for filming.

File 42-93-6, Resolution No. 77-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Street Roadway Acceptance]

Draft ordinance accepting for maintenance various alleyways in Chinatown, including intersections and curbs. (Supervisor Bierman presented.) Referred to Budget Committee.

File 9-93-1

Monday, February 8, 1993

[Public Information]

Draft ordinance concerning public information such as public meetings, public records and related public information and free speech policy. (Supervisors Achtenberg, Alioto, Bierman, Hallinan, Shelley presented.) Referred to Rules Committee.

File 97-93-6

[Restrictive Occupancy Standards]

Draft ordinance amending Housing Code by amending Section 503 to make it unlawful for landlords to impose restrictive occupancy standards on families. (Supervisor Achtenberg presented.) Referred to Housing and Land Use Committee with request it be considered at the February 18, 1993 meeting.

File 179-93-1

Referred to Board

[Proclamation]

Resolution declaring April 17-24, 1993 "San Francisco One Neat City Week". (Supervisor Shelley presented.) Referred to Board February 16, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-4

[For Sale Cars]

Resolution urging the State Delegation to support an amendment to the Vehicle Code allowing for removal of vehicles which have been repeatedly cited for the offense of parking on a city street for the sole purpose of advertising the vehicle for sale. (Supervisor Shelley presented.) Referred to Board February 16, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-6

[Hold Harmless Provision]

Resolution approving a hold harmless provision for the very small quantity generator hazardous waste pilot collection program jointly operated by Sanitary Fill Company and the Chief Administrative Officer. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee.

File 128-93-1

[Budget, 1992-93]

Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1992-93 to establish a category of expenditure in the amount of \$975,000 for the Federal Office Building Project. (Supervisor Hsieh presented.) Referred to Budget Committee.

File 161-92-5.2

Monday, February 8, 1993

[Task Force on Local Employment]

Resolution establishing a Task Force on Local Employment Opportunities to examine and report upon the crises in employment opportunities facing San Francisco, particularly for residents under 25 years of age, and to submit a report of its findings and recommendations to the Board of Supervisors by November 5, 1993. (Supervisor Alioto presented.) Referred to Economic Vitality and Social Policy Committee.

File 174-93-2

[Chinatown Alleyways Improvement]

Resolution approving financing capital improvement to various alleyways in Chinatown from the reserve for mitigation of environmental impact to Chinatown - Gas Tax Funds. (Supervisor Bierman presented.) Referred to Budget Committee.

File 184-93-1

[Candlestick Park Renovations]

Resolution urging the Mayor to urge the Recreation and Park Department to hire contractors who abide by the City's prevailing wage ordinances. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 193-93-3

[Enterprise Zone]

Resolution approving the adding of 895 acres, principally in the vicinity of the Central Waterfront, to the City and County of San Francisco Enterprise Zone. (Supervisor Bierman presented.) Referred to Economic Vitality and Social Policy Committee.

File 196-93-1

Referred to Committee

[Ballot Measure]

Charter amendment (Second Draft) adding Section 3.204 relating to the filling of vacancies in the office of member of the board of supervisors. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 181-93-1

[Ballot Measure]

Charter amendment (Second Draft) amending Section 3.100 and adding Section 3.104 relating to the filling of vacancies in the office of mayor. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto presented.) Referred to Rules Committee.

File 182-93-1

Monday, February 8, 1993

[Ballot Measure]

Charter amendment (First Draft) amending Section 2.200 to permit the committees of the board of supervisors to hold special meetings in San Francisco in locations other than in City Hall. (Supervisor Shelley presented.) Referred to Rules Committee.

File 204-93-1

Requests for Hearings:

File 68-92-1.1, By Supervisor Hallinan: To consider authorizing release of \$160,000, Mayor's Criminal Justice Council, from the Community Partnership Grant for the Neighborhood Empowerment Program. Referred to Government Efficiency and Labor Committee with request it be considered at the February 17, 1993 meeting.

File 68-92-12.1, By Supervisor Hallinan: To consider authorizing release of \$196,000, Mayor, from the Community Partnership Grant for the Neighborhood Empowerment Program. Referred to Government Efficiency and Labor Committee with request it be considered at the February 17, 1993 meeting.

File 7-93-4, By Supervisor Alioto: To consider the closure of the historic Cable Car Museum. Referred to Housing and Land Use Committee.

File 35-93-1, By Supervisors Conroy, Maher: To consider re-opening 26th Street, between Treat Avenue and Harrison Street. Referred to Economic Vitality and Social Policy Committee.

File 171-93-1, By Supervisor Shelley: To consider enforcement of traffic and parking regulations. Referred to Housing and Land Use Committee.

File 193-93-2, By Supervisor Alioto: To consider the City's hiring of Berrios Construction in the remodeling of Candlestick Park. Referred to Government Efficiency and Labor Committee.

File 205-93-1, By Supervisor Alioto: To consider the management and oversight of funds generated from the War Memorial Center for veterans programs and how to maximize local programs for veterans. Referred to Budget Committee.

Motions Referred to Committee:

[Rules of Order]

Motion amending the Rules of Order of the Board of Supervisors to provide supervisors shall vote in a rotating manner, with the first supervisor to vote being changed at each regular meeting, by adding Rule 2.27. (Supervisor Alioto presented.) Referred to Rules Committee.

File 56-93-2

Monday, February 8, 1993

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-33. [Government Funding] Appropriating \$2,132,044, Fire Department, for various capital improvement projects. RO #92135 (Controller) Budget

File 101-92-34. [Government Funding] Appropriating \$1,500,000, Department of Public Works, for capital improvement project (Bayside Treatment Disposal Evaluation). RO #92137 (Controller) Budget

File 101-92-35. [Government Funding] Appropriating \$9,791,241, County Education Office - SFUSD, for capital improvement project (School Facilities Improvement). RO #92154 (Controller) Budget

File 101-92-36. [Government Funding] Appropriating \$100,000, Mayor's Office - OCD, for permanent salaries and related mandatory fringe benefits, other services and equipment purchase, for the creation of two positions; companion measure to File 102-92-15. RO #92155 (Controller) Budget

File 101-92-37. [Government Funding] Appropriating \$170,474,898, Airports Commission, for various capital improvement projects. RO #92148 (Controller) Budget

File 101-92-38. [Government Funding] Appropriating \$25,000,000, Airports Commission, for various capital improvement projects (Advance - Future Annual Service Payment) and rescinding \$25,000,000 from capital improvement project (Groundside Improvements). RO #92165 (Controller) Budget

File 101-92-39. [Government Funding] Appropriating \$27,373,875, Airports Commission, for various capital improvement projects. RO #92166 (Controller) Budget

File 101-92-40. [Government Funding] Appropriating \$630,220, Airports Commission, for permanent salaries and related mandatory fringe benefits, for the creation of twenty-seven positions; companion measure to File 102-92-12. RO #92167 (Controller) Budget

File 45-93-8. [Settlement of Litigation] Authorizing settlement of litigation of Danielle Goldman against the City and County of San Francisco, by payment of \$7,500. (City Attorney) Government Efficiency and Labor

File 45-93-9. [Settlement of Litigation] Authorizing settlement of litigation of Paul Johngrass against the City and County of San Francisco, by payment of \$20,000. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

Monday, February 8, 1993

File 146-92-45.1 [Augmented Comprehensive Tobacco Control Plan and Budget] Adopting the augmented 1992-94 Comprehensive Tobacco Control Plan and Budget Supplemental Perinatal Outreach Plan; companion measure to Files 146-92-45 and 146-92-46.2. (Department of Public Health) Government Efficiency and Labor

File 146-92-46.2 [Augmented Allocation - State Funds] Authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to accept and expend an augmented allocation of \$1,129,305, pursuant to the augmented 1992-94 Comprehensive Tobacco Control Plan and Budget, and the augmented Supplemental Perinatal Outreach Plan and Budget, which includes indirect costs of \$15,242 (consisting of fifteen percent of total personnel costs including fringe benefits for the Comprehensive Tobacco Control Plan, and ten percent of salaries for perinatal outreach activities); companion measure to Files 146-92-45, 146-92-45.1, and 146-92-46. (Department of Public Health) Government Efficiency and Labor

File 7-93-3. [Public Transportation] Approving a revised fare schedule for the Municipal Railway. (Public Utilities Commission) Budget

File 33-93-1. [State Legislative Representative] Ratifying the Mayor's appointment of Margaret Kisliuk as a State Legislative Representative for the City and County of San Francisco. (Mayor) Rules

File 64-93-3. [Lease of Real Property] Authorizing lease of real property at 524 Golden Gate Avenue for the Department of Public Works. (Real Estate Department) Government Efficiency and Labor

File 146-93-9. [Grant - State Funds] Authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of \$133,920, which includes indirect costs in the amount of \$9,600, based on ten percent of direct costs from State Emergency Medical Services Authority, for the development of pediatric curriculum training materials for California EMT-Paramedic Training Programs; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 172-93-4. [Family Mosaic Medi-Cal Capitation Contract] Authorizing the Department of Health to enter into a contract with the State Department of Health Services to implement a pilot Medicaid/Mental Health Delivery System. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine the feasibility of installing a four-way Stop intersection at 17th Avenue and Santiago Street.

Monday, February 8, 1993

By Supervisor Hsieh, that letter be sent to General Manager, Municipal Railway, concerning the light rail vehicle Van Ness Avenue Station and to inquire whether it is feasible to place change machines at this location.

By Supervisors Conroy and Maher, that City Attorney prepare ordinance to rededicate 26th Street, between Treat Avenue and Harrison Street as a public street.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Vincenta Villegas (Supervisor Maher)
Arthur Ashe (Entire Board)
Tim Hurley (Supervisor Kaufman)
Leonard Jones (Supervisor Kennedy)

File 2-93-6

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 8, 1993

Approved by the Board of Supervisors on July 18, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88

No. 7

DOCUMENTS DEPT.

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Tuesday, February 16, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, February 16, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Maher, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Hallinan, Kennedy - 3.

Quorum present.

Supervisor Achtenberg was noted present at 2:17 p.m.

Supervisor Hallinan was noted present at 2:17 p.m.

Supervisor Kennedy was noted present at 3:06 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Bierman, moved that the Journals of Proceedings for Monday, June 22 and June 29, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

The Clerk announced that Supervisor Kennedy has been previously excused from attending today's meeting but indicated she may be able to attend the meeting later today.

Tuesday, February 16, 1993

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$2,750, Superior Court, for permanent salaries and related mandatory fringe benefits, for the creation of one (1) position and deletion of one (1) position, for fiscal year 1992-93. (Controller)

File 101-92-26, Ordinance No. 47-93

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Superior Court, reflecting the reclassification of one (1) position; companion measure to File 101-92-26. (Civil Service Commission)

File 102-92-11, Ordinance No. 48-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]

Ordinance authorizing settlement of attorney fee litigation for services performed in 1991 in Stone, et al., v. City and County, et al. (City Attorney)

File 45-92-70, Ordinance No. 40-93

(U.S. District Court No. C78-2774 WHO.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of First Federal Savings and Loan Association against the City and County, by payment of \$45,881.37. (City Attorney)

File 45-92-71, Ordinance No. 41-93

(Superior Court No. 943-701)

Finally passed.

Tuesday, February 16, 1993

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Elena Maggin v. City and County, et al by payment of \$7,000. (City Attorney)

File 45-92-72, Ordinance No. 42-93

(Superior Court No. 939-040.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Carlos Cordon v. Casey, et al against the City and County, by payment of \$20,000. (City Attorney)

File 45-92-73, Ordinance No. 43-93

(U.S. District Court No. C91-4215 RHS)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Austin Louis Wilson against the City and County, by payment of \$6,018.90. (City Attorney)

File 45-92-74, Ordinance No. 39-93

(U.S. District Court No. C92-0986 EFL)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of R. Michael Rapoport v. City and County, et al by payment of \$15,000. (City Attorney)

File 45-92-75, Ordinance No. 44-93

(Superior Court No. 940-077.)

Finally passed.

[Vallejo Street Garage Lease]

Ordinance approving and adopting Vallejo Street garage legal documents and authorization for management agreement. (Department of Parking and Traffic)

File 47-92-8, Ordinance No. 45-93

Finally passed.

Tuesday, February 16, 1993

[Awards Program]

Ordinance amending Administrative Code by adding Section 10.109-11, relating to the establishment and administration of the Department of Electricity and Telecommunications Awards Fund. (Department of Electricity and Telecommunications)

File 97-92-71, Ordinance No. 46-93

Finally passed.

[Benefits for Harbor Police Officers]

Ordinance approving the provision of salary, health benefits and other terms and conditions of employment equal to those provided to Q2 Police Officers to the unrepresented classification 9350 Harbor Police Officers who sign a waiver regarding the 1991-92 wage freeze. (Employee Relations Division)

File 105-93-1, Ordinance No. 49-93

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection]

Resolution designating certain intersection as "Stop" intersection. (Housing and Land Use Committee)

File 18-92-15, Resolution No. 90-93

(Stop Sign - Establish

Bessie and Manchester Streets, northeast, southeast and southwest corners, stopping all approaches (makes this an all-way Stop).

Adopted.

[Carpool Permit Parking]

Resolution establishing a carpool permit parking program on Vermont Street, between 22nd and 23rd Streets in the vicinity of San Francisco General Hospital. (Department of Parking and Traffic)

File 19-92-17, Resolution No. 92-93

Adopted.

Tuesday, February 16, 1993

[Parking Regulations]

Resolution enacting and extending parking regulations on various streets. (Housing and Land Use Committee)

File 19-92-18, Resolution No. 93-93

(Parking Meter Area 3 (1-hour time limit, 9 a.m. to 6 p.m., Monday - Saturday) extend.

Broadway, both sides, between Sansome and Battery Streets.
Broadway, north side, between Davis and Battery Streets.

No Parking 6:00 a.m. to 9:00 a.m., Monday through Friday, except vehicles with Van Pool Permits - establish.

Washington Street, south side, from Battery Street to 255 feet easterly (255-foot zone).

Park and Ride Shuttle Bus Zone - establish

Washington Street, south side, from 460 feet to 510 feet of Battery Street (50-foot zone, just east of driveway).

Diagonal (60-degree angle) Parking, compact cars only - establish

Vallejo Street, south side, from a point 37 feet east of Grant Avenue to Kearny Street.)

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations on various streets. (Housing and Land Use Committee)

File 20-92-17, Resolution No. 95-93

(One-way Street - Establish

Linden Street, westbound, between Octavia and Laguna Streets.

Tow-away, No Stopping Anytime - Establish

Manchester Street, east side, from Bessie Street to 15 feet southerly (15-foot zone to be established in conjunction with all-way Stops at this intersection).

Tow-away, No Stopping Anytime - Rescind

Broadway, both sides, between Sansome and Battery Streets.

Right Lane Must Turn Right - Establish

Williams Avenue, westbound, at Vesta Street.)

Adopted.

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[Stop Intersection]

Resolution designating certain intersections as "Stop" intersection.
(Supervisor Kennedy)

File 18-93-1, Resolution No. 89-93

(Stop Sign - Establish

Jones Street and Broadway, northeast and southwest corners,
stopping Broadway (currently uncontrolled).

Adopted.

[Parking Regulations]

Resolution enacting and extending parking regulations on various
streets. (Housing and Land Use Committee)

File 19-93-1, Resolution No. 91-93

(Parking Meter Area 3 (1-hour limit, 9 a.m. to 6 p.m., Monday -
Saturday) - extend.

Harrison Street, south side, between 10th and 11th Streets.
Bryant Street, north side between 10th and 11th Streets.
10th Street, west side, between Harrison and Bryant Streets.
11th Street, east side, between Harrison and Bryant Streets.
Sanchez Street, east side, from 24th Street to 83 feet northerly
(83-foot zone).

2-Hour Parking Time Limit (9 a.m. to 6 p.m., Monday - Saturday)
- establish

13th Street, both sides, between Folsom and Bryant Streets.)

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations on various streets.
(Housing and Land Use Committee)

File 20-93-1, Resolution No. 94-93

(Tow-Away, No Stopping Anytime - Establish

Montgomery Street, east side, between Washington and Clay
Streets (replaces existing "Tow-Away, No Stopping 7 a.m. to 6
p.m.>").
Stanyan Street, west side, between Page and Haight Streets.

Left Lane Must Turn Left - Establish

Montgomery Street, southbound, at Clay Street.

Crosswalk Closure - Establish

Parker Avenue at California Street, west crosswalk.
Maple Avenue at California Street, east crosswalk.)

Adopted.

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[Parking of Vehicles]

Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street Area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-93-1, Resolution No. 96-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$70,804, Mayor's Office of Children, Youth and their Families, for permanent salaries - miscellaneous and related mandatory fringe benefits and rescinding \$46,742 from other contractual services, for the creation of five positions, for fiscal year 1992-93. (Supervisor Achtenberg)

File 101-92-31, Ordinance No. 50-93

Finally Passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Migden, Shelley - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

(Supervisor Hsieh dissenting in Committee.)

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Mayor's Office

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of Children, Youth and Their Families, reflecting the addition of five positions; companion measure to File 101-92-31. (Civil Service Commission)

File 102-92-13, Ordinance No. 51-93

Finally Passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Migden, Shelley - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Kennedy - 1.

Passed for Second Reading as Amended

[Board of Supervisors - Fees]

Ordinance amending Administrative Code by adding Section 8.37 thereto, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors and filing of appeals and authorizing the Clerk of the Board to waive, in exigent circumstances, the fees authorized by this section. (Clerk of the Board)

File 97-92-67, Ordinance No.

Supervisor Shelley, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

NEW BUSINESS

Recommendation of Budget Committee
and Health and Public Safety Committee

Adopted as Amended

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[911 Funding]

Resolution urging the Mayor to authorize sufficient funding in the 1993-94 Police Department budget to fully staff the communications center. (Supervisor Shelley)

File 207-92-11, Resolution No. 98-93

(Fiscal Impact.)

(January 26, 1993 - Transferred to Budget Committee.)

Supervisor Shelley, seconded by Supervisor Maher, moved to amend line 22, after "year" by inserting "with the goals of providing a three second response time for emergency phone calls and a 45 second response time for non-emergency phone calls, these goals to be accomplished by July 1, 1993".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendations of Health and Public Safety Committee

Adopted as Amended

[Police Intelligence]

Resolution urging the Mayor to urge the Police Commission to ((hire)) select a Special Investigator to help with the oversight functions of police intelligence operations. (Supervisors Hallinan, Shelley)

File 207-93-4, Resolution No. 140-93

Supervisor Shelley, seconded by Supervisor Hsieh, moved to amend title and text wherever the word "hire" appears by replacing it with "select".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

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Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Adopted

[Grand Jury Investigation]

Resolution urging the District Attorney to refer the matters surrounding the Tom Gerard case to the San Francisco Criminal Grand Jury for a full investigation and indictment if appropriate. (Supervisor Hallinan)

File 207-93-4.1, Resolution No. 97-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recommendation of Housing and Land Use Committee

Passed for Second Reading

[Traffic Regulations]

Ordinance amending Traffic Code, relating to prohibiting operation of vehicles in excess of 6,000 pounds upon a portion of Newhall Street. (Department of Parking and Traffic)

File 124-93-1, Ordinance No.

(Adds Section 28.1.93.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Recess

At the request of President Alioto, the Board recessed at the hour of 3:08 p.m. to convene in closed session pursuant to Government Code Section 54956.9(a) to meet with the City Attorney concerning litigation of Besk v. San Francisco, United States District Court, No. C91-3453 WHO, the San Bruno Jail Conditions Case.

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Reconvening of the Board

The Board, at the hour of 4:16 p.m., reconvened.

The following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 8.

Noted absent:

Supervisors Achtenberg, Maher, Migden - 3.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City Attorney concerning pending litigation as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Cathy Perry;
Elise Bond;
Marie Harrison;
Peter Burns;
Ace Washington;
Dehnert Queen;
Elizabeth Robinson;
Jerry Hart
Eugene Gordon, Jr.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

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Adopted

[Proclamation]

Resolution declaring April 17-24, 1993 "San Francisco One Neat City Week". (Supervisor Shelley)

File 4-93-4, Resolution No. 87-93

(February 8, 1993 - Introduced in Board for consideration on February 16, 1993.)

Adopted.

[For Sale Cars]

Resolution urging the State Delegation to support an amendment to the Vehicle Code allowing for removal of vehicles which have been repeatedly cited for the offense of parking on a city street for the sole purpose of advertising the vehicle for sale. (Supervisor Shelley)

File 12-93-6, Resolution No. 88-93

(February 8, 1993 - Introduced in Board for consideration on February 16, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 8.

Absent: Supervisors Achtenberg, Maher, Migden - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-7, Resolution No. 86-93

(Mayor Frank Jordan, February 13 - 27; Raymond Baxter, Director of Health, February 3 - 4; Patricia E. Evans, member, Social Services Commission, January 27 - 29; James K. Ho, member, Airports Commission, February 10 - March 3; Charles D. Morrow, member, Fire Commission, February 18 - March 10, 1993.)

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Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Shelley - 8.

Absent: Supervisors Achtenberg, Maher, Migden - 3.

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Illegal Unit Amnesty]

Substitute ordinance amending City Planning Code by adding Section 207.3 to establish a 24-month amnesty period within which one existing dwelling unit constructed prior to January 1, 1992 without benefit of permit may be legalized in any RH-1, RH-2, RH-3, RM, RC, NC, C or mixed use zoning district in addition to the number of dwelling units recorded on City records as of January 1, 1992, requiring the department to maintain a master list of legalized units and prohibiting the legalized unit from being converted to a condominium, by amending Sections 135, 140 and 161 to exempt legalized units from the requirements for open space, light and air and off-street parking, and by adding Section 369 to impose a registration penalty and authorize the Planning Commission to adopt a fee schedule providing for the department's full recovery of the costs of processing the amnesty applications; amending Administrative Code by amending Section 37.2 to make all legalized units subject to rent board jurisdiction and by amending Section 37.7 to prohibit pass through of costs attributable to legalizing additional dwelling units; amending Housing Code by amending Section 351 to require each legalized unit to be identified on the 3R report for the building with notice of the rent control restriction for the legalized unit, and by amending 503 to provide that ceiling heights for legalized units are only required to meet the minimum requirements mandated by State law; amending Building Code by adding Section 109 to allow for exemptions from certain code requirements, amending Section 202 to provide that if a density violation is discovered after the expiration of the amnesty period the property owner shall be liable for the full costs incurred by the City in detecting and abating the violation, and amending Section 332.3 to exempt units legalized during the amnesty period from payment of the work without permit investigation fee; adopting findings pursuant to Planning Code Section 101.1. (Supervisor Hallinan presented.)
Referred to Housing and Land Use Committee.

File 115-93-1

[Lead Advisory Committees]

Ordinance amending Health Code by amending Sections 1607 and 1608 to provide term limits for advisory committee members appointed under

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the Comprehensive Lead Hazard Reduction Program. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 118-93-2

[Housing Policy Reform Act of 1993]

Draft ordinance amending Subdivision Code by adding Sections 1400 through 1410 and by amending Section 1332 to permit the conversion of residential rental property to condominium or other ownership subject to certain requirements. (Supervisor Kennedy presented.) Referred to Housing and Land Use Committee.

File 126-93-1

[Prohibition Against Restriction on Number of Occupants]

Substitute ordinance amending Housing Code by amending Section 503 to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b) and by adding Section 204(e) to provide for civil remedies. (Supervisor Achtenberg presented.) Referred to Housing and Land Use Committee.

File 179-93-1

Referred to Board

[Trial Court Funding]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1993 through June 30, 1994. (Supervisors Migden, Alioto presented.) Referred to Board February 22, 1993 For Adoption Without Committee Reference Calendar.

File 187-93-1

Requests for Hearings:

File 7-93-5, By Supervisors Shelley, Alioto: To consider status report on the construction of the Municipal Railway's F-line from the foot of Market Street to Fisherman's Wharf. Referred to Housing and Land Use Committee.

File 30-93-3, By Supervisor Kennedy: To consider the Department of Public Health's administration of the catastrophic illness legislation relating to hours donated, employees work status and earned sick leave credit and application process. Referred to Government Efficiency and Labor Committee.

File 176-93-1, By Supervisor Hallinan: To consider status of labor negotiations between Teamsters Local 350 and Sunset Scavengers. Referred to Government Efficiency and Labor Committee.

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File 191-93-1, By Supervisor Hallinan: To consider appointment of a Deputy Attorney General of the State of California to the Public Utilities Commission of the City and County of San Francisco. Referred to Rules Committee.

File 200-93-1, By Supervisor Kaufman: To consider the repavement project on 14th Street, near Church Street. Referred to Housing and Land Use Committee.

File 207-93-7, By Supervisor Hallinan: To consider alleged abuse of the San Francisco Police Department's contingent fund. Referred to Budget Committee.

File 212-93-1, By Supervisor Kennedy, Alioto: To consider Geneva Towers, its operation and master plan. Referred to Housing and Land Use Committee.

File 211-93-1, By Supervisor Migden: To consider creation of a special benefit assessment district to fund fire suppression services. Referred to Budget Committee.

File 284-93-1, By Supervisor Maher: To consider establishing a bonding fund for women and minority contractors pursuant to Chapter 12D of the Administrative Code. Referred to Budget Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-41. [Government Funding] Appropriating \$320,545, District Attorney - Family Support Bureau, for permanent salaries-miscellaneous and related mandatory fringe benefits, telephone and services of other departments-City Mail Services. RO #92146 (Controller) Budget

File 97-93-7. [Cost Recovery - Parking and Traffic] Amending Administrative Code (Temporary Use or Occupancy of Public Streets) by (1) amending Section 2.70-6 thereof, to provide for the transfer of the street fair permitting process from the Department of Public Works to the Department of Parking and Traffic, (2) amending Section 2.70-6 thereof to provide for cost recovery for the Parking and Traffic Department for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for street fairs, and (3) adding Section 2.75-6 thereto providing for the recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic for athletic events; and amending Chapter 10B by adding Sections 10B.16 through 10B.20 thereto, providing generally for recovery of costs for additional parking enforcement and traffic control and related services rendered by the Department of Parking and Traffic. (Department of Parking and Traffic) Housing and Land Use

Resolutions Referred to Committee

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File 27-93-1. [Airport-Rates and Charges] Making a finding that the revised schedule of rates and charges for outdoor aircraft storage established by the Airports Commission will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure to File 27-93-1.1. (Airports Commission) To Budget Committee with direction to report back to the Board by March 8, 1993.

File 27-93-1.1 [Airport-Rates and Charges] Approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-93-1. (Airports Commission) To Budget Committee with direction to report back to the Board by March 8, 1993.

File 61-93-1. [Contract Award Extension] Granting extension of time for awarding San Francisco Water Department Contract No. WD-2130, Ventilation of Adit Structures. (Public Utilities Commission) Government Efficiency and Labor

File 61-93-2. [Contract Award Extension] Granting extension of time for awarding San Francisco Water Department Contract No. WD-2137, Hoisting Equipment at Various Pump Stations. (Public Utilities Commission) Government Efficiency and Labor

File 93-93-2. [MOU] Ratifying Memorandum of Understanding with Freight Checkers, Clerical Employees and Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B). (Office of Mayor Employee Relations Division) Government Efficiency and Labor

File 132-93-1. [Grant State Funds] Authorizing the San Francisco Art Commission to apply for, accept and expend \$30,000 of California Arts Council funds which provides a network to artists to facilitate live/work space, and for community arts and education, which provides granting, arts education program development, technical assistance and publications and resources to community organizations, Arthouse Manager and Arts Education Coordinator are the positions for which partial funding is being requested, two percent for indirect cost will be included. (Art Commission) Government Efficiency and Labor

File 146-93-10. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$500,000, from the Centers for Disease Control to continue funding the AIDS Early Intervention Network Project through the Comprehensive Aids Resources Emergency (CARE Title III) Disaster Relief Grant; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

File 172-93-5. [Indemnification Agreement]. Authorizing the Department of Public Health to enter into an indemnification agreement with the San Francisco Community College District for the purposes of using the Alemany Facility for a wellness clinic. (Department of Public Health) Government Efficiency and Labor

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Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that Budget Analyst inform the Board of Supervisors of all graffiti-related programs sponsored by City departments.

By Supervisor Conroy, that Budget Analyst provide report on the Recreation and Park Department Management of City-owned Golf Courses Grand Jury Report, released February 10, 1993.

By Supervisor Conroy, that letter of inquiry be sent to Director, Employee Relations Division to determine why police widow, Stephanie Bloesch, has not been receiving health benefits in accordance with the wishes of the Board of Supervisors.

By Supervisor Maher, that City Attorney prepare ordinance which would establish a bonding fund for women and minority contractors.

By Supervisor Maher, that Budget Analyst prepare report on proposal to establish a bonding fund for women and minority contractors.

By Supervisor Migden, that Budget Analyst, in conjunction with the Department of Parking and Traffic and the Municipal Court, prepare report on facilitating the transfer of all parking citation functions from the Traffic Division of Municipal Court to the Department of Parking and Traffic.

By Supervisor Migden, that letter be sent to Director, Department of Parking and Traffic, to inquire whether he can consult with the Controller in identifying necessary funds and can work order the funds to the Board of Supervisors to cover any costs associated with the Budget Analyst's report on the transfer of all parking citation functions from the Traffic Division of Municipal Court to the Department of Parking and Traffic.

By Supervisor Hallinan, that City Attorney provide formal opinion as to whether or not a member of the Board of Supervisors approaching the Chief of Police in his office with regard to appointments and promotions in the San Francisco Police Department constitutes official misconduct and what steps the Board of Supervisors can take with regard to such conduct.

By Supervisor Kennedy, that letter of inquiry be sent to Chief of Police to determine what actions has been taken concerning alleged criminal activities in front of 500 Hyde Street.

By Supervisor Kennedy, that City Attorney prepare resolution memorializing the State Legislature to pass legislation subventing the built-up bank tax revenues back to local government.

By Supervisor Kennedy, that City Attorney review, prepare and approve as to form proposed ordinance amending Building Code by amending Section 339.4 to provide new boiler permit fee schedule.

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By Supervisor Kennedy, that City Attorney review, prepare and approve as to form proposed ordinance amending Building Code by deleting Section 328 and adding new Section 328 concerning boilers and setting July 1, 1993 as effective date.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Department of Parking and Traffic, to determine the feasibility of installing Stop signs at the intersection of 22nd and Tennessee Streets.

By Supervisor Kennedy, that City Attorney provide opinion relating to proposed City-sponsored loan program, where the City floats tax-exempt bonds and uses the money to lend to long-time San Francisco residents for low down-payment, such as five percent, and low interest rates.

By Supervisor Kennedy, that City Attorney prepare ordinance amending the Building Code to require mandatory inspections of buildings after a major disaster and that building inspectors actually go inside the buildings to determine whether or not it is occupied.

By Supervisor Kennedy, that letters be sent to Director of Public Health and Controller (Payroll/Personnel Services Division) concerning administration and processing of the catastrophic illness program and requesting representatives from each department appear before a committee of the Board of Supervisors to answer inquiries regarding this program and because of the confidentiality of the participants that notices of such hearing be provided to the Health Department or Controller's PPSD to be mailed to each participant in the program.

By Supervisor Shelley, that Budget Analysts provide report on implementation of Resolutions 437-92, 438-92, 454-92, 455-92, 456-92, 457-92, 458-92, 459-92, 461-92 and 462-92 concerning litter abatement.

By Supervisors Shelley, Alioto, that letter be sent to General Manager, Public Utilities, notifying him of request for hearing to consider status report on the construction of the Municipal Railway's F-line from the foot of Market Street to Fisherman's Wharf.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Babs Elwell (Supervisor Alioto)
Dan Butler (Supervisor Kennedy)
Bessie Williams (Supervisor Kennedy)
Walter Hight, Jr. (Supervisor Kennedy)

File 2-93-7

Unanimously adopted by a rising vote.

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ADJOURNMENT

There being no further business, the Board at the hour of 4:38 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Tuesday, February 16, 1993

Approved by the Board of Supervisors on August 9, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



Tuesday, February 16, 1993

Approved by the Board of Supervisors on August 9, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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No. 8

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Monday, February 22, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, February 22, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:13 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Noted absent at first roll call:

Supervisor Achtenberg - 1.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Achtenberg Excused

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to excuse Supervisor Achtenberg from today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, July 6, July 13 and July 20, 1992, be approved.

Motion carried by the following vote:

Monday, February 22, 1993

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Presentation of Guests

Supervisor Alioto introduced and welcomed the eighth grade class from the Convent of the Sacred Heart.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Lisonia Dirden against the City and County, a Municipal Corporation, Robert R. Clevidence, and does 1 through 10, inclusive, by payment of \$7,000. (City Attorney)

File 45-93-1, Ordinance No.

(Superior Court No. 936-069)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Merly Maerina against the City and County, by payment of \$35,000. (City Attorney)

File 45-93-2, Ordinance No.

(Superior Court No. 891-377)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Bill Lee and Kathy Lee against the City and County, by payment of \$9,500. (City Attorney)

File 45-93-3, Ordinance No.

(Municipal Court No. 075-857)

Passed for second reading.

Monday, February 22, 1993

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Calvin Marty Sober against the City and County, by payment of \$9,824. (City Attorney)

File 45-93-4, Ordinance No.

(Superior Court No. 862-797)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Roseanne Deamicis against the City and County, by payment of \$8,000. (City Attorney)

File 45-93-5, Ordinance No.

(Superior Court No. 937-032)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Josephine Hughes against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-6, Ordinance No.

(Superior Court No. 904-772)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Carol Engelbrecht against the City and County, by payment of \$15,000. (City Attorney)

File 45-93-7, Ordinance No.

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Wharfside One, dba Sheraton, at Fisherman's Wharf, by payment of \$116,310.47. (City Attorney)

File 48-92-26, Resolution No. 119-93

Adopted.

Monday, February 22, 1993

[Augmented Comprehensive Tobacco Control Plan and Budget]
Resolution adopting the augmented 1992-94 Comprehensive Tobacco Control Plan and Budget and augmented Supplemental Perinatal Outreach Plan. (Department of Public Health)

File 146-92-45.1, Resolution No. 136-93

Adopted.

[Settlement of Claim]
Resolution approving settlement of the unlitigated claim of Frederick Aiello, by payment of \$12,800. (City Attorney)

File 48-93-3, Resolution No. 115-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Senior Counselors of the Juvenile Probation Department, by payment of \$29,590.33. (City Attorney)

File 48-93-4, Resolution No. 116-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Kemper Insurance, by payment of \$6,267.37. (City Attorney)

File 48-93-5, Resolution No. 117-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the unlitigated claim of Kathleen A. Ortenzi, by payment of \$19,500.00. (City Attorney)

File 48-93-6, Resolution No. 118-93

Adopted.

[Settlement of Claim]
Resolution approving the settlement of the litigated claim of the Atchison, Topeka and Santa Fe Railroad Company ("Santa Fe") in the sum of \$11,710.65. (City Attorney)

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File 49-93-1, Resolution No. 106-93

Adopted.

[Lease of Real Property]

Resolution authorizing two lease renewals of real property at 1540 Market Street for the Department of Public Health. (Real Estate Department)

File 64-93-2, Resolution No. 122-93

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification 0678 Executive Secretary in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-1, Resolution No. 124-93

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification 1235 Affirmative Action Coordinator in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-2, Resolution No. 125-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Monday, February 22, 1993

Finally Passed

[Board of Supervisors - Fees]

Ordinance amending Administrative Code by adding Section 8.37 thereto, authorizing the Clerk of the Board of Supervisors to collect fees to defray the cost of mailing and providing copies of documents relating to the business of the Board of Supervisors and filing of appeals and authorizing the Clerk of the Board to waive, in exigent circumstances, the fees authorized by this section. (Clerk of the Board)

File 97-92-67, Ordinance No. 52-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Housing and Land Use Committee

Finally Passed

[Traffic Regulations]

Ordinance amending Traffic Code, relating to prohibiting operation of vehicles in excess of 6,000 pounds upon a portion of Newhall Street. (Department of Parking and Traffic)

File 124-93-1, Ordinance No. 53-93

(Adds Section 28.1.93.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$1,191,769, Fire Department, for various capital improvement projects, for fiscal year 1992-93; placing \$623,350 on reserve. (Controller)

File 101-92-33, Ordinance No.

Monday, February 22, 1993

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Government Funding]

Ordinance appropriating \$1,500,000, Department of Public Works, for capital improvement project (Bayside Treatment Disposal Evaluation), for fiscal year 1992-93; placing \$225,229 on reserve. (Controller)

File 101-92-34, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Government Funding]

Ordinance appropriating \$9,791,241, County Education Office - SFUSD, for capital improvement project (School Facilities Improvement), for fiscal year 1992-93. (Controller)

File 101-92-35, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Government Funding]

Ordinance appropriating \$349,926, Airports Commission, for permanent salaries and related mandatory fringe benefits, for the creation of twenty-three positions, for fiscal year 1992-93. (Controller)

File 101-92-40, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Airports Commission, reflecting the addition of twenty-three positions. (Civil Service Commission)

File 102-92-12, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Public Transportation]

Resolution making a finding concerning proposed revisions of Municipal Railway fare schedule. (Budget Committee)

File 7-93-3.1, Resolution No. 111-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Public Transportation]

Resolution approving a revised fare schedule for the Municipal Railway Special Events Services, Regional Transfer, BART Plus Passes, Golden Gate Bridge Highway and Transportation, Transit Transbay Muni Transfer Sticker and BART/Muni Cash Transfers, Sam Trans/Muni Transfer Sticker. (Public Utilities Commission)

File 7-93-3, Resolution No. 110-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Budget]

Motion authorizing and directing the Clerk of the Board to file with the Controller the budget estimates for fiscal year 1993-94 for the Department of the Board of Supervisors. (Clerk of the Board)

File 100-93-3

Monday, February 22, 1993

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Vacation Accrual]

Ordinance amending Administrative Code, to provide for accrual of vacation benefits during periods of involuntary and voluntary furlough. (Employee Relations Division)

File 97-93-1, Ordinance No.

(Fiscal Impact.)

(Amends Sections 16.10 and 16.11.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Sick Leave]

Ordinance amending Administrative Code, to approve amendments to leave rules and provide for accrual of sick leave benefits during periods of involuntary and voluntary furlough. (Employee Relations Division)

File 97-93-2, Ordinance No.

(Fiscal Impact)

(Amends Section 16.17)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[P.O.S.T. - Coroner]

Ordinance amending Administrative Code, to authorize receipt of

State funds for the participation of the peace officer members of the Coroner's Office in the Peace Officer's Standards and Training (P.O.S.T.) (Coroner)

File 97-93-3, Ordinance No.

(Adds Section 10.117-3.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Augmented Allocation - State Funds]

Resolution authorizing the Department of Public Health, Community Public Health, Bureau of Health Promotion and Education, to accept and expend an augmented allocation of \$1,129,305, pursuant to the augmented 1992-94 Comprehensive Tobacco Control Plan and Budget, and the augmented Supplemental Perinatal Outreach Plan and Budget, which includes indirect costs of \$15,242 (consisting of fifteen percent of total personnel costs including fringe benefits for the Comprehensive Tobacco Control Plan, and ten percent of salaries for perinatal outreach activities); and placing \$562,327 on reserve. (Department of Public Health)

File 146-92-46.2, Resolution No. 137-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to accept and expend a grant of \$844,125, which includes indirect costs in the amount of \$68,424 based on twenty percent of salaries and wages from the California Department of Health Services for the continuation of the Hepatitis B immunizations to infants and selected middle school residents of San Francisco; providing for ratification of action previously taken; and placing \$8,000 on reserve. (Department of Public Health)

File 146-92-60.1, Resolution No. 100-93

(Fiscal Impact)

Adopted by the following vote:

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Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Lease Agreement]

Resolution supporting the concepts of an expanded partnership between the San Francisco Recreation and Park Commission and the San Francisco Zoological Society whereby the Society shall operate and manage the Zoo. (Recreation and Park Department)

File 172-92-21, Resolution No. 139-93

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Suspension of the Rules

There being no objection, on motion by Supervisor Kennedy, seconded by Supervisor Bierman, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor for five minutes to the following persons concerning the above item:

Freddy, Local 22;
Michael, carpenter;
Mr. Reese, carpenter;
Mark, electrician;
Robert Lee, carpenter;
Frank Murray;
Ernie, Local 3, unemployed.

[Acceptance of Gift]

Resolution accepting a gift to the San Francisco Public Library in the amount of \$30,000 to fund the Director of Volunteer Services position for the remainder of fiscal year 1992-93. (Public Library)

File 38-93-2, Resolution No. 113-93

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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[Lease of Real Property]

Resolution authorizing lease of real property at 827 Guerrero Street for a Department of Public Health Residential Care Facility. (Real Estate Department)

File 64-93-1, Resolution No. 121-93

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Lease of Real Property]

Resolution authorizing retroactively lease of real property at 524 Golden Gate Avenue for the Department of Public Works. (Real Estate Department)

File 64-93-3, Resolution No. 123-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Health Service System Contributions]

Resolution establishing the contribution to be made to the Health Service System by City and County, Unified School District and Community College District for fiscal year 1993-94. (Health Service System)

File 78-93-1, Resolution No. 114-93

(Pursuant to Charter Section 8.423, requires 9 votes.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of \$48,215, which includes indirect costs in the amount of \$3,708, based on twenty percent of salaries

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from State Emergency Medical Services Authority, for the development of San Francisco EMS Data Linkage Project; and placing \$15,698 on reserve. (Department of Public Health)

File 146-93-3, Resolution No. 131-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - Federal Subvention through the State Funds]
Resolution authorizing the Department of Public Health, Community Substance Abuse Services to accept and expend a grant subvention up to the amount of \$4,700,000, which includes indirect costs from the United States Department of Health and Human Services - Substance Abuse and Mental Health Administrative Services as subvented through the State of California, Department of Alcohol and Drug Programs to reduce waiting lists for substance abuse services and lessen the threat of HIV transmission; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-5, Resolution No. 132-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - Federal Funds]
Resolution authorizing the Department of Public Health, Community Public Health Services, Department of Epidemiology and Disease Control, STD Control Division, to accept and expend an augmentation grant of \$627,238, which includes indirect costs of \$71,099, based on twenty percent of personnel salaries from the Centers for Disease Control, for the provision of STD services. (Department of Public Health)

File 146-93-6, Resolution No. 133-93

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Services, to accept and expend a grant of \$89,367, from San Francisco Community Clinic Consortium as prime grantee of the U.S. Health Resources and Services Administration, for HIV early intervention services to residents of San Francisco; waiving indirect costs; and providing ratification of action previously taken. (Department of Public Health)

File 146-93-7, Resolution No. 134-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of \$133,920, which includes indirect costs in the amount of \$9,600, based on ten percent of direct costs from State Emergency Medical Services Authority, for the development of pediatric curriculum training materials for California EMT-Paramedic Training Programs; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-9, Resolution No. 135-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Recreation and Park Department to apply, retroactively, for grant funds in an amount up to \$287,500, which includes up to \$19,263 or 6.7% for indirect costs, from the Land and Water Conservation Fund Program, for India Basin Wetlands Restorations, Phase II Project. (Recreation and Park Department)

File 150-93-1, Resolution No. 138-93

(Fiscal Impact)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

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Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic, retroactively, to apply for, accept and expend \$49,000 in California Office of Traffic Safety funds for a high-accident identification project, foregoing reimbursement of indirect costs. (Parking and Traffic Department)

File 192-93-1, Resolution No. 107-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply, retroactively, for a grant in the amount of \$285,000 of California Clean Air and Transportation Improvement Act of 1990 (State Proposition 116) funds, which include indirect costs of \$1,400 or ten percent (10%) of non-contract costs, for removal of the median on Valencia Street (Market to Mission Streets) to enable the street to be restriped with wide curb lanes to reduce bicycle/motor vehicle conflicts. (Department of Parking and Traffic)

File 192-93-2, Resolution No. 108-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Grant - State Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply, retroactively, for a grant in the amount of \$85,000 California Clean Air and Transportation Improvement Act of 1990 (State Proposition 116) funds, which include indirect costs of \$8,500 or ten percent (10%) of project costs, for signal to delineate commuter bicycle routes throughout the City and County of San Francisco. (Department of Parking and Traffic)

File 192-93-3, Resolution No. 109-93

Adopted by the following vote:

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Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Rules Committee

Adopted

[State Legislative Representative]
Resolution ratifying the Mayor's appointment of Margaret Kisliuk as the State Legislative Representative for the City and County.
(Mayor)

File 33-93-1, Resolution No. 112-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Appointment]
Resolution appointing member to the Maternal, Child and Adolescent Health Board, for the three-year term ending August 31, 1995.
(Rules Committee)

File 92-92-45.3, Resolution No. 128-93

(Linda S. White, PH.D, vice Devi Ananda, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Appointment]
Resolution appointing member to the Airport Noise Committee, for the unexpired portion of the three-year term ending September 30, 1993.
(Rules Committee)

File 92-92-64, Resolution No. 129-93

(William J. Alich, vice Carol Gamble, resigned.)

Adopted by the following vote:

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Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Appointments]

Resolution appointing members to the Delinquency Prevention Commission, terms expired, for new four-year terms ending December 31, 1996. (Rules Committee)

File 92-92-66, Resolution No. 130-93

(Andante' Higgins, vice Jean Hadley;
Eric Ciasullo, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Appointments]

Resolution appointing members to the Seismic Safety Retrofit Bond Program Board, for two-year terms ending March 1, 1993. (Rules Committee)

File 92-93-4, Resolution No. 126-93

(Zack Stewart, non-residential UMB tenant;
Betty Louie, non-residential UMB owner;
Tim Carrico, residential UMB owner;
Mary Comerio, residential UMB tenant;
Father John Murley, non-residential non-profit;
Calvin Welch, residential non-profit.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Appointments]

Resolution appointing members to the Seismic Safety Retrofit Bond Program Advisory Board; making findings waiving residency requirement. (Rules Committee)

File 92-93-5.1, Resolution No. 127-93

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(Hisashi B. Sugaya, historic preservationist;
Lyn Yandell, disabled;
William Wong, trade union;
Neil Gendel, physical environment;
Maritza Delgadillo, (MBE/WBE)
Jeff Wieland, construction industry;
Pat Buscovich, structural engineer;
Bruce Bonacher, architect.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh,
Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

COMMITTEE REPORTS

Recommendation of Housing and Land Use Committee

Adopted as Amended

[Doyle Drive]

Resolution approving in principle the recommendations of the Doyle Drive Task Force and urging the California Department of Transportation and the Metropolitan Transportation Commission to expedite inclusion of a rebuilding of Doyle Drive in the next State transportation funding cycle, and to promptly conduct tests of Doyle Drive traffic flows and their impact on present traffic patterns, as recommended by the Doyle Drive Task Force.

File 55-92-1, Resolution No. 120-93

Supervisor Maher presented as recommendation of Committee.

Supervisor Kennedy, seconded by Supervisor Maher, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh,
Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Supervisor Hsieh, seconded by Supervisor Maher, moved to amend title, line three, after "Transportation" by inserting "and the Metropolitan Transportation Commission"; amend page two, line 17, after "Caltrans" by inserting "and the Metropolitan Transportation Commission (MTC)"; amend page two, line 20, after "Caltrans" by inserting "MTC"; amend page three, lines 10 and 14, after "Caltrans" by inserting "and MTC"; amend page three, line 17, after "Transportation" by inserting "and MTC"; and page four, line seven,

after "Assembly," by inserting "the Metropolitan Transportation Commission".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Supervisor Bierman, seconded by Supervisor Kennedy, moved to further amend page one, line 17, by deleting "one" and inserting "a scenic parkway".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Rubin;
Richard Klein;
Susan Tiberon;
M. J. Lasky;
Dehnert Queen;
Ron Summers;
Mark;
Scott Martin;
Michael Alexander;
Richard Travis;

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the

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rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Trial Court Funding]

Resolution electing to become subject to the provisions of the State Trial Court Funding Program for the period of July 1, 1993 through June 30, 1994. (Supervisors Migden, Alioto)

File 187-93-1, Resolution No. 99-93

(February 16, 1993 - Introduced in Board for consideration on February 22, 1993.)

Adopted.

[Condominium Conversion Project]

Motion approving final map of 1626 Northpoint Street, a condominium project, being a resubdivision of Lot 6, in Assessor's Block 445A, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-2

(February 16, 1993 - Introduced in Board for consideration on February 22, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Hsieh - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

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Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-8, Resolution No. 101-93

(Angela Alioto, President, Board of Supervisors, March 6 - 8; Roberta Achtenberg, member, Board of Supervisors, February 22 - 28; Tom Hsieh, member, Board of Supervisors, March 6 - 10; Barbara Kaufman, member, Board of Supervisors, March 5 - 10; Bill Maher, member, Board of Supervisors, March 3 - 10; Raymond Baxter, Director of Health, February 1 - 4 and 22; Thad Brown, Tax Collector, April 12 - 28; Barbara Camerson, member, Commission on the Status of Women, February 23 - 26 and March 5 - 7; Ming Chang, member, Port Commission, February 13 - 27; Patricia E. Evans, M.D., member, Social Services Commission, March 3 - 7; Katheryn M. Fong, member, Human Rights Commission, February 2 - 5; Frank Fung, Vice President, City Planning Commission, February 17 - 19; Bonnie Gibson, member, Retirement Board, February 9 - 17; James K. Ho, member, Airports Commission, February 10 - March 3; Michael Huerta, Executive Director, Port, February 13 - 27 and March 16 - 18; Caryl Ito, member, Commission on the Status of Women, February 9 - 19; Toby Levine, member, City Planning Commission, June 25 - July 19 and July 31 - August 8; Keith I. Marton, M.D., member, Health Commission, February 5 - 7; Patrick A. Murphy, President, Airports Commission, February 19 - 25; Francis O'Neill, member, Port Commission, February 13 - 27; Paul Rosenstiel, member, Health Commission, February 4 - 5; L.A. Turpen, Director of Airports, February 17 - 22; David Yoder, member, Film and Video Arts Commission, February 6 - 11, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Zoning Map Amendment]

Resolution extending through and including June 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31, 33, 34 and 35 from RH-3 to Castro Street Neighborhood Commercial District; and to adopt findings pursuant to City Planning Code Section 101.1.

File 36-92-5.1, Resolution No. 103-93

Supervisor Bierman presented on behalf of Supervisor Achtenberg for immediate adoption.

Adopted.

Monday, February 22, 1993

[Zoning Map Amendment]

Resolution extending through and including June 1, 1993, the time for the City Planning Commission to render its decision on an amendment to the City Planning Code initiated by the Board of Supervisors to amend the Zoning Map for properties generally described as Assessor's Block 2696, Lots 31 and 32 from RH-3 to NC-1; and to adopt findings pursuant to City Planning Code Section 101.1.

File 36-92-6.1, Resolution No. 104-93

Supervisor Bierman presented on behalf of Supervisor Achtenberg for immediate adoption.

Adopted.

[Commend]

Resolution commending Commander Diarmuid J. Philpott for countless years of service to the people of San Francisco and unmatched leadership within the San Francisco Police Department.

File 6-93-4, Resolution No. 102-93

Supervisors Conroy, Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Leavenworth Street, between Turk and Eddy Streets, on February 18, 19, 25, 26 and March 1, 1993, from 7:00 a.m. to 7:00 p.m. for filming.

File 42-93-7, Resolution No. 105-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Hsieh - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Monday, February 22, 1993

Referred to Committee

[Proclaim]

Resolution commending the Bringing Home the Banner project and urging the Mayor to proclaim March 25, 1993 Bringing Home the Banner Day in San Francisco. (Supervisor Alioto presented.) Referred to Health and Public Safety Committee.

File 6-93-3

Referred to Board

[Municipal Railway]

Resolution urging the Mayor to urge the Municipal Railway to work with interested citizens groups to improve seating for elder and disabled persons on the Municipal Railway system. (Supervisors Conroy, Migden, Kaufman, Alioto presented.) Referred to Board March 1, 1993 For Adoption Without Committee Reference Calendar.

File 7-93-6

[Federal Legislation]

Resolution endorsing changes in Federal rules currently barring people with HIV and AIDS from coming to the United States (Nickles Amendment). (Supervisor Alioto presented.) Referred to Board March 1, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-6

Referred to Committee

[Appointments]

Resolution confirming Mayor's appointments to the San Francisco War Memorial Board of Trustees. (Supervisor Kennedy presented.) Referred to Rules Committee with request it be considered at the March 2, 1993 meeting.

File 33-93-2

[Street Artist]

Resolution redesignating for six months two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission. (Supervisor Hallinan presented.) Referred to Housing and Land Use Committee.

File 169-93-1

[Emergency Services]

Resolution urging the Mayor to urge the Office of Emergency Services to prepare and submit to the Mayor and the Board of Supervisors a plan for implementing a program of citizen participation in

Monday, February 22, 1993

emergency service efforts throughout the City's neighborhoods. (Supervisor Alioto presented.) Referred to Health and Public Safety Committee.

File 270-93-1

Requests for Hearings:

File 12-93-7, By Supervisor Maher: To consider supporting SB 153 which would establish a Bay Area Regional Commission by merging the Association of Bay Area Governments, the Bay Area Air Quality Management District and the Metropolitan Transportation Commission. Referred to Economic Vitality and Social Policy Committee with request it be considered at the next meeting.

File 188-93-1, By Supervisor Hallinan: To consider possibility of ending the emergency restrictions on water use and lifting the penalties associated with the present rationing. Referred to Health and Public Safety Committee.

File 214-93-1, By Supervisor Alioto: To consider the Board's policy regarding eminent domain proceedings against Cathay Mortuary in light of new property becoming available for the proposed park. Referred to Housing and Land Use Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-8. [Settlement of Litigation] Authorizing settlement of litigation of Danielle Goldman against the City and County of San Francisco, by payment of \$7,500. (City Attorney) Government Efficiency and Labor

File 45-93-9. [Settlement of Litigation] Authorizing settlement of litigation of Paul Johngrass against the City and County of San Francisco, by payment of \$20,000. (City Attorney) Government Efficiency and Labor

File 46-93-1. [Settlement of Lawsuit] Authorizing settlement of Kippie Locati, et al., v. Michael Emerson Tamas, et al., upon receipt of the compromise and release and acknowledgement of credit rights and release of lien. (City Attorney) Government Efficiency and Labor

File 46-93-2. [Settlement of Lawsuit] Authorizing settlement of Kathryn Sullivan, et al., v. Pacific Bell, Mona Lesa Loke, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney) Government Efficiency and Labor

File 46-93-3. [Settlement of Lawsuit] Authorizing settlement of Harvey Iosua, et al., v. Dana Chaqui Prince Harper, et al., upon receipt of the sum of \$30,500 and dismissal of complaint. (City Attorney) Government Efficiency and Labor

Monday, February 22, 1993

Resolutions Referred to Committee

File 47-93-1. [Award of Management Agreement] Confirming award of the management agreement to Five Star Parking to operate St. Mary's Square Garage. (Real Estate Department) Government Efficiency and Labor

File 57-93-1. [Household Hazardous Waste Element] Approving the final draft Household Hazardous Waste Element. (Chief Administrative Officer) Health and Public Safety

File 57-93-2. [Source Reduction and Recycling Element] Approving and adopting final draft Source Reduction and Recycling Element. (Chief Administrative Officer) Health and Public Safety

File 64-93-4. [Lease of Real Property] Authorizing a month to month lease of real property at Fox Plaza (1390 Market Street, 10th Floor) for the City Attorney. (Real Estate Department) Government Efficiency and Labor

File 68-93-4. [Home Program] Authorizing the Mayor of the City and County of San Francisco to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$5,419,000 for the Home Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the Home Program Description; direct and indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds. (Mayor) Government Efficiency and Labor

File 166-93-1. [Recision of Tax Sale] Authorizing the Tax Collector to cancel the tax deed issued to the purchaser of 1398 Hudson Avenue following the August 31, 1992 public auction of tax defaulted property and to refund the bid amount to the purchaser. (Tax Collector) Budget

File 172-93-6. [Contract] Authorizing the Department of Social Services to enter into contract between the City and County of San Francisco and San Francisco Child Abuse Council, Inc., in the amount of fifty thousand dollars (\$50,000) from the County's Children's Trust Fund for the provision of child abuse and neglect prevention services via public awareness and education to professional and community organizations for the period of March 1, 1993 through February 28, 1994. (Department of Social Services) Government Efficiency and Labor

File 172-93-7. [Contract] Authorizing the Department of Social Services to enter into contract between the City and County of San Francisco and Family Service Agency of San Francisco in the amount of \$124,994 of which \$100,000 is from the County's Children's Trust Fund for the provision of in-home and out-of-home parenting training and education to families with children at risk of child abuse and neglect for the period of March 1, 1993 through February 28, 1994. (Department of Social Services) Government Efficiency and Labor

Monday, February 22, 1993

File 172-93-8. [Contract] Authorizing the Department of Social Services to execute a hold harmless agreement with the State Department of Social Services for the State pass-through of a wage supplement to selected individual providers of In-Home Supportive Services for the period of March 1, 1993 through July 31, 1993, for the purposes of assuring cultural, ethnic and language oriented services through community based organizations. (Department of Social Services) Government Efficiency and Labor

File 213-93-1. [Grant Funds - Airport Administration] Authorizing the Airports Commission to seek funds for a Caltrain/SFO Shuttle from the Bay Area Air Quality Management District under AB 434 funds, California Clean Air Act Legislation, for a one-year trial operation period at the end of which the Airports Commission shall again review the funding of this service; waiving indirect costs. (Airports Commission) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Alioto and Migden, that letter be sent to the Honorable Sausalito City Council congratulating the members for enacting legislation banning smoking in restaurants and bars.

By Supervisor Conroy, that letter of inquiry be sent to Chief Administrative Officer to determine the dollar amount of damages to City properties from graffiti vandals.

By Supervisor Conroy, that letter be sent to Chief of Police to inquire how many citations have been issued under Police Code Sections 554 or 555 concerning sale of aerosol paint or permanent markers to minors, are these codes being enforced and what is the sanction and/or fine for the seller.

By Supervisor Conroy, that letters be sent to Chief of Police and Presiding Judge, Municipal Court concerning graffiti to determine how many graffiti violations have been cited last year, what are the procedures for handling these vandals, how many vandals are prosecuted, what is the punishment, the follow up procedure and the recidivism rate.

By Supervisor Kennedy, that City Attorney prepare resolution declaring the week of May 3rd as "Caregivers Week" and May 6 as "Caregivers' Day" in conjunction with the nationally designated "Nurse Appreciation Week" and "Nurse Appreciation Day".

By Supervisor Kennedy, that City Attorney prepare ordinance to amend Administrative Code Section 10.215(c) concerning South Africa divestment by adding the word "knowingly" between the words "subsidiary" and "provides" in the required declaration and by adding the following sentence: "This statement is the only proof that a vendor must provide concerning possible resale of its products in South Africa."

Monday, February 22, 1993

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Angelo Fosco (Supervisor Shelley)
Robert F. Peckham (By the Entire Board)
Ruth Macks (Supervisor Kaufman)
Ray Ridling (Supervisor Kaufman)

File 2-93-8

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:20 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, February 22, 1993

Approved by the Board of Supervisors on August 9, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88

No. 9

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Monday, March 1, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 1, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Noted absent at first roll call:

Supervisors Achtenberg, Kennedy, Maher - 3.

Quorum present.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Achtenberg excused. (see infra.)

Supervisor Maher was noted present at 2:21 p.m.

Supervisor Achtenberg Excused

Supervisor Hallinan, seconded by Supervisor Bierman, moved to excuse Supervisor Achtenberg from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Hallinan, moved that the Journals of Proceedings for Monday, July 27, August 3 and 10, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$1,191,769, Fire Department, for various capital improvement projects, for fiscal year 1992-93; placing \$623,350 on reserve. (Controller)

File 101-92-33, Ordinance No. 64-93

Finally passed.

[Government Funding]

Ordinance appropriating \$1,274,771, Department of Public Works, for capital improvement project (Bayside Treatment Disposal Evaluation), for fiscal year 1992-93; placing \$225,229 on reserve. (Controller)

File 101-92-34, Ordinance No. 65-93

Finally passed.

[Government Funding]

Ordinance appropriating \$9,791,241, County Education Office - SFUSD, for capital improvement project (School Facilities Improvement), for fiscal year 1992-93. (Controller)

File 101-92-35, Ordinance No. 66-93

Finally passed.

[Government Funding]

Ordinance appropriating \$349,926, Airports Commission, for permanent salaries and related mandatory fringe benefits, for the creation of twenty-three positions, for fiscal year 1992-93. (Controller)

File 101-92-40, Ordinance No. 67-93

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Airports Commission, reflecting the addition of twenty-three positions. (Civil Service Commission)

File 102-92-12, Ordinance No. 68-93

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$170,474,898, Airports Commission, for various capital improvement projects, for fiscal year 1992-93. (Controller)

File 101-92-37, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$25,000,000, Airports Commission, for various capital improvement projects (Advance - Future Annual Service Payment) and rescinding \$25,000,000 from capital improvement project (Groundside Improvements), for fiscal year 1992-93. (Controller)

File 101-92-38, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$27,373,875, Airports Commission, for various capital improvement projects, for fiscal year 1992-93. (Controller)

File 101-92-39, Ordinance No.

Passed for second reading.

[Government Funding]

Ordinance appropriating \$320,545, District Attorney - Family Support Bureau, for permanent salaries-miscellaneous and related mandatory fringe benefits, telephone and services of other departments-City Mail Services, for fiscal year 1992-93. (Controller)

File 101-92-41, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Lisonia Dirden against the City and County, a Municipal Corporation, Robert R. Clevidence, and does 1 through 10, inclusive, by payment of \$7,000. (City Attorney)

File 45-93-1, Ordinance No. 56-93

(Superior Court No. 936-069)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Merly Maerina against the City and County, by payment of \$35,000. (City Attorney)

File 45-93-2, Ordinance No. 57-93

(Superior Court No. 891-377)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Bill Lee and Kathy Lee against the City and County, by payment of \$9,500. (City Attorney)

File 45-93-3, Ordinance No. 58-93

(Municipal Court No. 075-857)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Calvin Marty Sober against the City and County, by payment of \$9,824. (City Attorney)

File 45-93-4, Ordinance No. 59-93

(Superior Court No. 862-797)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Roseanne Deamicis against the City and County, by payment of \$8,000. (City Attorney)

File 45-93-5, Ordinance No. 60-93

(Superior Court No. 937-032)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Josephine Hughes against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-6, Ordinance No. 61-93

(Superior Court No. 904-772)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Carol Engelbrecht against the City and County, by payment of \$15,000. (City Attorney)

File 45-93-7, Ordinance No. 62-93

Finally passed.

[P.O.S.T. - Coroner]

Ordinance amending Administrative Code, to authorize receipt of state funds for the participation of the peace officer members of the Coroner's Office in the Peace Officer's Standards and Training (P.O.S.T.) (Coroner)

File 97-93-3, Ordinance No. 63-93

(Adds Section 10.117-3.1.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Vacation Accrual]

Ordinance amending Administrative Code, to provide for accrual of vacation benefits during periods of involuntary and voluntary furlough. (Employee Relations Division)

File 97-93-1, Ordinance No. 54-93

(Fiscal Impact.)

(Amends Sections 16.10 and 16.11.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

[Sick Leave]

Ordinance amending Administrative Code, to approve amendments to leave rules and provide for accrual of sick leave benefits during periods of involuntary and voluntary furlough. (Employee Relations Division)

File 97-93-2, Ordinance No. 55-93

(Fiscal Impact)

(Amends Section 16.17)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Airport-Rates and Charges]

Resolution making a finding that the revised schedule of rates and charges for outdoor aircraft storage established by the Airports Commission will be sufficient to pay for maintenance and operation expenses of the airport and will not require any tax subsidy. (Airports Commission)

File 27-93-1, Resolution No. 156-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

[Airport-Rates and Charges]

Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission. (Airports Commission)

File 27-93-1.1, Resolution No. 157-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

[Hold Harmless Provision]

Resolution approving a hold harmless provision for the very small quantity generator hazardous waste pilot collection program jointly operated by Sanitary Fill Company and the Chief Administrative Officer. (Supervisor Hallinan)

File 128-93-1, Resolution No. 159-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

Monday, March 1, 1993

[General Services Administration]

Resolution urging the General Services Administration to maintain its administrative operations in San Francisco. (Supervisors Kaufman, Alioto, Shelley, Conroy)

File 13-93-5, Resolution No. 154-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

In connection with the above item, Supervisor Conroy requested to be added as co-sponsor.

Recommendations of Health and Public Safety Committee

Passed for Second Reading

[Joint Task Force on HIV Epidemic]

Ordinance amending Administrative Code, which creates a Joint Task Force on the HIV Epidemic to advise the Board of Supervisors and the Mayor on legislation and policy related to the City's HIV policies and programs. (Supervisors Kaufman, Alioto, Shelley, Hallinan, Hsieh, Kennedy, Bierman, Maher, Conroy, Achtenberg, Migden)

File 174-93-1, Ordinance No.

(Adds Sections 5.160 through 5.165.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Maher - 3.

Adopted

[Cable Car Ticket machines]

Resolution urging the Mayor to urge the Public Utilities Commission to remove the cable car ticket machines at Powell and Market Streets, and Powell and Ellis Streets, and to develop a safe and secure method for providing for the sale of cable car tickets. (Supervisors Alioto, Shelley, Conroy, Hallinan, Migden, Kaufman, Bierman)

File 7-92-9, Resolution No. 149-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

In connection with the above item, Supervisors Kaufman and Bierman requested to be added as co-sponsors.

[Open Public Restrooms in Downtown San Francisco]
Resolution urging the Mayor to work with City departments for the purpose of taking all steps necessary to open all public restrooms in the downtown area and to make them safe, clean and available to members of the general public. (Supervisors Alioto, Shelley, Conroy, Hallinan, Migden, Kaufman, Bierman)

File 7-92-9.1, Resolution No. 150-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

In connection with the above item, Supervisors Kaufman and Bierman requested to be added as co-sponsors.

[Cable Car Waiting Area Redesign]
Resolution urging the Mayor to urge the Public Utilities Commission to redesign the cable car turnaround at Powell and Market Streets to provide greater security and safety for cable car passengers. (Supervisors Alioto, Shelley, Conroy, Hallinan, Migden, Kaufman, Bierman)

File 7-92-9.2, Resolution No. 151-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

In connection with the above item, Supervisors Kaufman and Bierman requested to be added as co-sponsors.

[Cable Car Fares]

Resolution urging the Mayor to urge the Public Utilities Commission to adopt a cable car fare of \$2.00 for one-way, one-time use tickets. (Supervisors Alioto, Shelley, Conroy, Hallinan, Migden, Kaufman, Bierman)

File 7-92-9.3, Resolution No. 152-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

In connection with the above item, Supervisors Kaufman and Bierman requested to be added as co-sponsors.

Recommendations of Housing and Land Use Committee

Adopted

[Earthquake Safety Program]

Resolution endorsing those changes and providing findings as to the local conditions requiring changes from the California Building Standards Code, as required by the California Health and Safety Code; companion measure to File 114-93-1. (Supervisor Hsieh)

File 114-93-1.1, Resolution No. 158-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Passed for Second Reading

[Earthquake Hazard Reduction]

Ordinance amending Building Code, relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings by clarifying special inspection requirements, simplifying and clarifying the definition of exempt buildings, redefining risk level 1 to delete Group A-3 assembly occupancies, making more specific the time limits for compliance, limiting the requirement for an engineering report, clarifying that UMB buildings not listed by the superintendent must also comply with Chapters 14 and 15, setting time limits for the review and correction of inventory forms, providing for phased strengthening, clarifying requirements for UMB homeless shelters, extending the time extension for assembly occupancies owned by non-profit organizations to all risk levels and clarifying that the time limitation applies only when the building

is used for assembly purposes with an occupant load of more than 299 persons, clarifying the requirements for party wall buildings and buildings of mixed construction, correcting technical definitions, clarifying when a foundation investigation or chord members are required, clarifying anchorage installation and testing requirements and making editorial corrections. (Supervisor Hsieh)

File 114-93-1, Ordinance No.

(Amends Sections 306(a) 17 and 18, 1401, 1402, 1404(b), 1405, 1406, 1502(e), 1502(f), 1504, 1507(d), 1508(g), 1509(b), 1510(a), 1511(h), 1513(b), 1513(d), 1516; amends Tables No. 14-A, 15-A and 15-E and adds Section 1510(d).)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Residential Permit Parking - Foreign Consulates]
Ordinance amending Traffic Code, (Residential Permit Parking Program) to provide for the issuance of two additional residential parking permits to foreign consulates. (Department of Parking and Traffic)

File 124-93-2, Ordinance No.

(Adds Section 308.6.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Adopted

[State Legislation, SCR 6 - Transportation]
Resolution supporting Senate Concurrent Resolution 6, a resolution urging the Governor to establish the Intercity High-speed Rail Committee, which would prepare a 20-year high-speed intercity ground transportation plan with construction beginning in the year 2000. (Supervisor Maher)

File 12-93-5, Resolution No. 153-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Representative, Local 90;
Dan, Muni car cleaner;
Lloyd;
Representative, Local 200;
Cynthia Chambers;
Representative, Gray Panthers;
Alma Lark, North Beach Housing;
Margaret Verges;
Jan Allen;
Peter Burns;
Ms. Huggins;
Louise Vaughn;
Ace Washington;
Concerned resident;
Concerned resident;
Catherine Powell.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Municipal Railway]

Resolution urging the Mayor to urge the Municipal Railway to work with interested citizens groups to improve seating for elderly and disabled persons on the Municipal Railway system. (Supervisors Conroy, Migden, Kaufman, Alioto)

File 7-93-6, Resolution No. 148-93

(February 22, 1993 - Introduced in Board for consideration on March 1, 1993.)

Adopted

[Federal Legislation]

Resolution endorsing changes in federal rules currently barring people with HIV and AIDS from coming to the United States (Nickles Amendment). (Supervisors Alioto, Hallinan, Migden, Shelley, Kaufman)

File 13-93-6, Resolution No. 155-93

(February 22, 1993 - Introduced in Board for consideration on March 1, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-9, Resolution No. 142-93

(Roberta Achtenberg, member, Board of Supervisors, March 1 -3; Buck Bagot, member, Redevelopment Agency, February 19 - 23; Cynthia Choy Ong, Vice President, Redevelopment Agency, February 20 - 28; Paul Rosenstiel, member, Health Commission, March 2; John L. Taylor, Clerk of the Board, Board of Supervisors, March 1 - 15, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Commend]

Resolution commending Donald D. Doyle for his 53 years of leadership to the community.

File 6-93-5, Resolution No. 143-93

Supervisors Conroy, Maher presented for immediate adoption.

Adopted.

[San Francisco Bay-Delta Estuary Protections]

Resolution urging the California State Water Resources Control Board to adopt Draft Decision 1630 relating to the San Francisco Bay-Delta Estuary.

File 12-93-8, Resolution No. 141-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Federal Energy Regulatory Commission]

Resolution authorizing the President of the Board of Supervisors to sign a letter to the Chairman of the Federal Energy Regulatory Commission on behalf of the Board of Supervisors for the City and County of San Francisco concerning the New Don Pedro Project.

File 13-93-7, Resolution No. 144-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Anza Street, between 9th and 10th Avenues, on Sunday, April 11, 1993, from 7:30 a.m. to 1:00 p.m. for Easter Services.

File 42-93-8, Resolution No. 145-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Grove, McAllister, 25th and Turk Streets, on various dates and times with certain conditions for filming.

File 42-93-9, Resolution No. 146-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Pacific Avenue, between Webster and Buchanan Streets, on Thursday, March 11, 1993, from 10:00 a.m. to 5:30 p.m. for filming.

File 42-93-10, Resolution No. 147-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Mental Health Board]

Ordinance amending Administrative Code by repealing Sections 15.3, 15.4, 15.10, 15.10-1, 15.10-2, 15.10-3, 15.10-4 and 15.10-5 and by adding new Sections 15.3, 15.4 and 15.5, relating to the establishment of the Mental Health Board. (Supervisor Alioto presented.) Referred to Health and Public Safety Committee.

File 97-93-8

[Government Funding]

Resolution urging the Mayor to support the supplemental appropriation requested by the Municipal Railway for the Clean Fleet program. (Supervisor Conroy presented.) Referred to Budget Committee.

File 101-92-44

Referred to Board

[Commend]

Resolution commending Inspector Michael D. Nevin on his years of service to the people of the City and County of San Francisco. (Supervisors Shelley, Hallinan, Conroy, Bierman, Kaufman, Alioto, Migden presented.) Referred to Board March 8, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-6

[Commend]

Resolution honoring Primo Repetto as Salesian Boys' Club Man of the Year. (Supervisor Shelley presented.) Referred to Board March 8, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-7

Referred to Committee

[State Legislation]

Resolution supporting AB 260 (Brown) allowing a needle exchange program in San Francisco. (Supervisors Alioto, Migden, Bierman presented.) Referred to Health and Public Safety Committee.

File 12-93-9

Referred to Board

[Lifespan]

Resolution supporting the closure of the Bay Bridge for Lifespan, a ten kilometer running and walking event to benefit Bay Area charities. (Supervisor Migden presented.) Referred to Board March 8, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-10

Referred to Committee

[Managed Care]

Resolution urging the Mayor to urge the Department of Public Health to pursue and evaluate implementation of a Managed Care system for San Francisco's Medi-Cal clients. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 30-93-4

[State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$448,712 made available through the California Department of Insurance for a project entitled, "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of January 1, 1990 through June 30,

1993. (Supervisor Alioto presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the March 17, 1993 meeting.

File 138-93-1

[State Funds]

Resolution authorizing the District Attorney to retroactively apply for, accept and expend funds in the amount of \$188,188.76 made available through the California Department of Insurance for a project entitled, "The Investigation and Prosecution of Workers Compensation Fraud" for the period of May 1, 1992 through June 30, 1993. (Supervisor Alioto presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the March 17, 1993 meeting.

File 138-93-2

[Kay Yu Appointment]

Resolution urging that the City Attorney consider bringing suit in quo warranto to resolve the legality of the appointment of California Deputy City Attorney Kay Yu to the San Francisco Public Utilities Commission. (Supervisor Hallinan presented.) Referred to Rules Committee.

File 191-93-1

[Workers Compensation]

Resolution urging the Mayor to review the process for selection of a third party administrator for the Workers Compensation system. (Supervisor Conroy presented.) Referred to Board March 8, 1993 For Adoption Without Committee Reference Calendar.

File 210-93-1

[State Funds]

Resolution declaring support for the application of the Friends of Islais Creek to the State of California for Urban Stream Restoration Grant Funds to be used for planning and implementing a demonstration restoration project in and near Islais Creek. (Supervisor Bierman presented.) Referred to Government Efficiency and Labor Committee.

File 215-93-1

[Ballot Measure]

Charter Amendment (Third Draft) amending Section 3.100 and adding Section 3.204 relating to the filling of vacancies in the office of member of the board of supervisors. (Supervisor Actenberg presented.) Referred to Rules Committee.

File 181-93-1

[Ballot Measure]

Charter Amendment (Third Draft) amending Section 3.100 and adding Section 3.104 relating to filling of vacancies in the office of mayor. (Supervisor Achtenberg presented.) Referred to Rules Committee.

File 182-93-1

Requests for Hearings:

File 33-92-4, By Supervisor Alioto: To consider confirming Mayor's appointment of Mark Buell to the San Francisco Redevelopment Agency, vice Buck Bagot, term expired, for term ending September 3, 1996. Reactivated and referred to Rules Committee with request it be considered at the March 16, 1993 meeting.

File 12-93-11, By Supervisor Alioto: To consider proposed removal of various state offices out of San Francisco and the impact of such actions on the economy of San Francisco. Referred to Economic Vitality and Social Policy Committee.

File 97-93-9, By Supervisor Alioto: To consider banning smoking in city buildings. Referred to Health and Public Safety Committee.

File 161-93-2, By Supervisor Migden: To consider what disposition will be made of the approximately \$24 million received from Olympia and York for the purchase of redevelopment land in view of the probable default by them and the impact on the Redevelopment Agency if some or all of the \$24 million were made available to the City's General Fund. Referred to Budget Committee with request it be considered at the March 3, 1993 meeting.

File 161-93-3, By Supervisor Kennedy: To consider whether it is in the best interest of the city to urge the Redevelopment Agency to extend option agreement with Olympia and York to purchase redevelopment land on Central Block 1 of the Yerba Buena Gardens Project. Referred to Budget Committee.

File 200-93-2, By Supervisor Kaufman: To consider the housing code enforcement procedures of the Bureau of Building Inspectors and the role of the Department of Social Services in referring low income persons to potentially sub-standard housing. Referred to Housing and Land Use Committee.

File 207-93-8, By Supervisors Kennedy, Shelley, Hallinan, Alioto: To consider the status of drug enforcement in the Oceanview, Merced and Ingleside areas, especially along Plymouth Avenue and Broad Street. Referred to Health and Public Safety Committee.

File 216-93-1, By Supervisors Migden, Hallinan, Alioto: To consider San Francisco's efforts to secure a suitable site for expansion of the University of California San Francisco. Referred to Economic Vitality and Social Policy Committee.

File 217-93-1, By Supervisors Shelley, Kennedy: To consider the

findings and recommendations contained in the Human Rights Commission's report, "An Unfinished Agenda" (economic status of African American in San Francisco 1964-1990). Referred to Economic Vitality and Social Policy Committee.

File 284-93-2, By Supervisor Kennedy: To consider amending Administrative Code Section 12D to include Native Americans in the Minority, Women, Local Business Enterprise Ordinance. Referred to Economic Vitality and Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-42. [Government Funding] Appropriating \$3,100,000, Water Department, for various capital improvement projects. RO #92175 (Controller) Budget

File 101-92-43. [Government Funding] Appropriating \$19,576,000, Water Department, for various capital improvement projects. RO #92176 (Controller) Budget

File 27-93-4. [Airport - Service Contract] Approving the "agreement for Operator-Assisted Long Distance Service from Public Pay Telephone" between AT&T and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor

File 45-93-10. [Settlement of Litigation] Authorizing settlement of litigation of William Vincent Block against the City and County of San Francisco, by payment of \$17,114.59. (City Attorney) Government Efficiency and Labor

File 45-93-11. [Settlement of Litigation] Authorizing settlement of litigation of Lauri Baptie against the City and County of San Francisco, by payment of \$500,000. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 27-93-2. [Airport Administration] Approving a declaration of emergency - emergency cable replacement, cable 12BPBG-2 - San Francisco International Airport - \$45,000. (Airports Commission) Budget

File 27-93-3. [Airport Administration] Approving Airport Contract No. 3230, approving a declaration of emergency, emergency transformer repair, LC-T84, B/A "F" Hub, San Francisco International Airport - \$110,000. (Airports Commission) Budget

File 48-93-7. [Settlement of Claim] Approving the settlement of the unlitigated claim of Hartford Insurance (insured George Sakaguchi) by payment of \$8,609.49. (City Attorney) Government Efficiency and Labor

File 48-93-8. [Settlement of Claim] Approving the settlement of the unlitigated claim of CSAA Insurance (insured Fay Kwok) by payment of \$8,471.92. (City Attorney) Government Efficiency and Labor

File 94-93-1. [Grant - State Funds] Authorizing the Public Utilities Commission to apply for, accept and expend \$96,000 of State Transit Assistance (STA) Paratransit Capital funds to acquire at least four ramped vehicles, excluding indirect costs. (Public Utilities Commission) Government Efficiency and Labor

File 148-93-2. [Grant - Federal Funds] Authorizing the Director of Public Works to apply for, accept and expend federal funds in the amount of \$147,200 for the planting of trees using small local businesses as contractors; waiving indirect costs; placing \$147,200 on reserve. (Department of Public Works) Government Efficiency and Labor

File 166-93-2. [Lawsuit] Authorizing Tax Collector attorney to institute legal proceedings for the recovery of value of services in the amount of \$15,953.85 rendered at hospital facilities operated by the San Francisco Department of Public Health. (Tax Collector) Government Efficiency and Labor

File 172-93-10. [Muni Metro Turnaround Facility] Approving Amendment No. 8 to professional services agreement with Bechtel Corporation for construction management and engineering support services in an amount not to exceed \$20,584,970 through May 1, 1996. (Public Utilities Commission) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Achtenberg, that City Attorney prepare ordinance which would create a Blue Ribbon Commission on President Clinton's "National Service Program".

By Supervisor Conroy, that letter of inquiry be sent to Director, Department of Parking and Traffic to determine how the frequently jammed traffic signal, eastbound, at Powell and Pine Streets, can be fixed.

By Supervisor Conroy, that letter of inquiry be sent to Director, Department of Parking and Traffic, to ascertain why the Bush/Polk Garage is incomplete and inoperable.

By Supervisor Conroy, that Budget Analyst inform the Board of potential revenue lost as a result of the delay in opening the Bush/Polk Garage.

By Supervisor Hsieh, that letter be sent to General Manager, Municipal Railway, to inquire about the feasibility of rerouting the Downtown Loop Number 42 bus line, or any other diesel bus routes, from Townsend Street to Berry Street, between Third and Fourth Streets, to better service the China Basin Landing area.

By Supervisors Migden, Hallinan, that City Attorney prepare appropriate legislation requiring business establishments selling personal lubricants to post a sign warning purchasers that certain personal lubricants may not be condom compatible.

By Supervisor Migden, that letter be sent to Chief Administrative Officer requesting investigation and report to determine the cause of excess postage being used on City mail and the procedure that is used to ensure that such excess will not happen in the future.

By Supervisor Kennedy, that letter of inquiry be sent to Director, Department of Parking and Traffic, concerning traffic problems at the site of the Community Baptist Church in the 1600 block of Broderick and the 2300 block of Bush Street, to determine the feasibility of permitting double parking, restoration of the white zone and elimination of the handicapped parking space.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

William Nicholas Passarelli (Supervisor Hallinan)
William Laurence Gee (By the entire Board)

File 2-93-9

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:25 p.m. adjourned.

Jean Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Monday, March 1, 1993

Approved by the Board of Supervisors on August 30, 1993.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors





Vol. 88

No. 10

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Monday, March 8, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 8, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kaufman excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Maher excused, on official leave of absence.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Achtenberg, moved that the Journal of Proceedings for Monday, August 17, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Monday, March 8, 1993

Presentation of Guests

Supervisor Alioto introduced and welcomed eighth grade class from A. P. Giannini School who are here to observe the Board of Supervisors as part of their political education.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$170,474,898, Airports Commission, for various capital improvement projects, for fiscal year 1992-93. (Controller)

File 101-92-37, Ordinance No. 69-93

Finally passed.

[Government Funding]

Ordinance appropriating \$25,000,000, Airports Commission, for various capital improvement projects (Advance - Future Annual Service Payment) and rescinding \$25,000,000 from capital improvement project (Groundside Improvements), for fiscal year 1992-93. (Controller)

File 101-92-38, Ordinance No. 70-93

Finally passed.

[Government Funding]

Ordinance appropriating \$27,373,875, Airports Commission, for various capital improvement projects, for fiscal year 1992-93. (Controller)

File 101-92-39, Ordinance No. 71-93

Finally passed.

[Government Funding]

Ordinance appropriating \$320,545, District Attorney - Family Support Bureau, for permanent salaries-miscellaneous and related mandatory fringe benefits, telephone and services of other departments-City Mail Services, for fiscal year 1992-93. (Controller)

Monday, March 8, 1993

File 101-92-41, Ordinance No. 72-93

Finally passed.

Recommendation of Health and Public Safety Committee

Finally Passed

[Joint Task Force on HIV Epidemic]

Ordinance amending Administrative Code, which creates a Joint Task Force on the HIV Epidemic to advise the Board of Supervisors and the Mayor on legislation and policy related to the City's HIV policies and programs. (Supervisors Kaufman, Alioto, Shelley, Hallinan, Hsieh, Kennedy, Bierman, Maher, Conroy, Achtenberg, Migden)

File 174-93-1, Ordinance No. 75-93

(Adds Sections 5.160 through 5.165.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Earthquake Hazard Reduction]

Ordinance amending Building Code, relating to earthquake hazard reduction in unreinforced masonry bearing wall buildings by clarifying special inspection requirements, simplifying and clarifying the definition of exempt buildings, redefining risk level 1 to delete Group A-3 assembly occupancies, making more specific the time limits for compliance, limiting the requirement for an engineering report, clarifying that UMB buildings not listed by the superintendent must also comply with Chapters 14 and 15, setting time limits for the review and correction of inventory forms, providing for phased strengthening, clarifying requirements for UMB homeless shelters, extending the time extension for assembly occupancies owned by on-profit organizations to all risk levels and clarifying that the time limitation applies only when the building is used for assembly purposes with an occupant load of more than 299 persons, clarifying the requirements for party wall buildings and buildings of mixed construction, correcting technical definitions, clarifying when a foundation investigation or chord members are required, clarifying anchorage installation and testing requirements and making editorial corrections. (Supervisor Hsieh)

File 114-93-1, Ordinance No. 73-93

(Amends Sections 306(a) 17 and 18, 1401, 1402, 1404(b), 1405, 1406, 1502(e), 1502(f), 1504, 1507(d), 1508(g), 1509(b), 1510(a), 1511(h), 1513(b), 1513(d), 1516; Amends Tables No. 14-A, 15-A and 15-E and Adds Section 1510(d).)

Monday, March 8, 1993

Finally passed.

[Residential Permit Parking - Foreign Consulates]
Ordinance amending Traffic Code, (Residential Permit Parking Program) to provide for the issuance of two additional residential parking permits to foreign consulates. (Department of Parking and Traffic)

File 124-93-2, Ordinance No. 74-93

(Adds Section 308.6.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Danielle Goldman against the City and County, by payment of \$7,500. (City Attorney)

File 45-93-8, Ordinance No.

(Municipal Court No. 080-021.)

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of Paul Johngrass against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-9, Ordinance No.

(Superior Court No. 932-380.)

Passed for second reading.

[Settlement of Lawsuit]
Ordinance authorizing settlement of Kippie Locati, et al., v. Michael Emerson Tamas, et al., upon receipt of the compromise and release and acknowledgment of credit rights and release of lien. (City Attorney)

File 46-93-1, Ordinance No.

(Superior Court No. 940384.)

Passed for second reading.

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[Settlement of Lawsuit]

Ordinance authorizing settlement of Kathryn Sullivan, et al., v. Pacific Bell, Mona Lesa Loke, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney)

File 46-93-2, Ordinance No.

(Superior Court No. 930877.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Harvey Iosua, et al., v. Dana Chaqui Prince Harper, et al., upon receipt of the sum of \$30,500 and dismissal of complaint. (City Attorney)

File 46-93-3, Ordinance No.

(Superior Court No. 935021.)

Passed for second reading.

Adopted

[Award of Management Agreement]

Resolution confirming award of the management agreement to Five Star Parking to operate St. Mary's Square Garage. (Real Estate Department)

File 47-93-1, Resolution No. 166-93

Adopted.

[Contract Award Extension]

Resolution granting extension of time for awarding San Francisco Water Department Contract No. WD-2130, Ventilation of Adit Structures. (Public Utilities Commission)

File 61-93-1, Resolution No. 167-93

Adopted.

[Contract Award Extension]

Resolution granting extension of time for awarding San Francisco Water Department Contract No. WD-2137, Hoisting Equipment at Various Pump Stations. (Public Utilities Commission)

File 61-93-2, Resolution No. 168-93

Adopted.

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[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuation grant of \$500,000, from the Centers for Disease Control to continue funding the AIDS Early Intervention Network Project through the Comprehensive Aids Resources Emergency (CARE Title III) Disaster Relief Grant; waiving indirect costs. (Department of Public Health)

File 146-93-10, Resolution No. 172-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

REGULAR CALENDAR

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Recision of Tax Sale]

Resolution authorizing the Tax Collector to cancel the tax deed issued to the purchaser of 1398 Hudson Avenue following the August 31, 1992 public auction of tax defaulted property and to refund the bid amount to the purchaser.

File 166-93-1, Resolution No. 173-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Third Amendment to Marine Terminal Agreement]

Ordinance approving the Third Amendment to Marine Terminal Agreement between Nedlloyd Lines and the San Francisco Port Commission. (Port)

File 172-93-3, Ordinance No.

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(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Consideration Continued

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged or stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-92-4, Resolution No.

(Total - \$817.95.)

Supervisor Migden, seconded by Supervisor Bierman, moved to continue consideration to March 15, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Adopted

[Home Program]

Resolution authorizing the Mayor to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed \$5,419,000 for the Home Program authorized under Title II of the National Affordable Housing Act of 1990, Public Law Number 101-625, and approving the Home Program Description; direct and indirect costs associated with the acceptance of these grant funds will be paid by Community Development Block Grant funds. (Mayor)

File 68-93-4, Resolution No. 169-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Memorandum of Understanding]

Resolution ratifying Memorandum of Understanding with Freight

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Checkers, Clerical Employees and Helpers, Local 856 (Supervising Registered Nurses, Unit 11.B). (Employee Relations Division)

File 93-93-2, Resolution No. 170-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Grant State Funds]

Resolution authorizing the Art Commission to apply for retroactively, accept and expend \$30,000 of California Arts Council funds which provides a network to artists to facilitate live/work space, and for community arts and education, which provides granting, arts education program development, technical assistance and publications and resources to community organizations, Arthouse Manager and Arts Education Coordinator are the positions for which partial funding is being requested, two percent for indirect cost will be included. (Art Commission)

File 132-93-1, Resolution No. 171-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Migden, Shelley - 6.

Absent: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Maher - 5.

[Hold Harmless Agreement]

Resolution authorizing the Port to hold the State of California harmless for claims arising from maintenance and demolition work on Piers 24, 26 and 28. (Port)

File 172-93-2, Resolution No. 180-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Migden, Shelley - 6.

Absent: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Maher - 5.

[Family Mosaic Medi-Cal Capitation Contract]

Resolution authorizing the Department of Health to enter into a

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contract with the State Department of Health Services to implement a pilot Medicaid/Mental Health Delivery System. (Department of Public Health)

File 172-93-4, Resolution No. 174-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Migden, Shelley - 6.

Absent: Supervisors Hallinan, Hsieh, Kaufman, Kennedy, Maher - 5.

[Indemnification Agreement]

Resolution authorizing the Department of Public Health to enter into an indemnification agreement with the San Francisco Community College District for the purposes of using the Alemany Facility for a wellness clinic. (Department of Public Health)

File 172-93-5, Resolution No. 175-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Contract]

Resolution authorizing, retroactively, the Department of Social Services to enter into contract between the City and County and San Francisco Child Abuse Council, Inc., in the amount of fifty thousand dollars (\$50,000) from the County's Children's Trust Fund for the provision of child abuse and neglect prevention services via public awareness and education to professional and community organizations for the period of March 1, 1993 through February 28, 1994. (Department of Social Services)

File 172-93-6, Resolution No. 176-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Contract]

Resolution authorizing, retroactively, the Department of Social Services to enter into contract between the City and County and

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Family Service Agency of San Francisco in the amount of \$124,994 of which \$100,000 is from the County's Children's Trust Fund for the provision of in-home and out-of-home parenting training and education to families with children at risk of child abuse and neglect for the period of March 1, 1993 through February 28, 1994. (Department of Social Services)

File 172-93-7, Resolution No. 177-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Contract]

Resolution authorizing, retroactively, the Department of Social Services to execute a hold harmless agreement with the State Department of Social Services for the State pass-through of a wage supplement to selected individual providers of In-Home Supportive Services for the period of March 1, 1993 through July 31, 1993, for the purposes of assuring cultural, ethnic and language oriented services through community based organizations. (Department of Social Services)

File 172-93-8, Resolution No. 178-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

[Grant Funds - Airport Administration]

Resolution authorizing the Airports Commission to seek funds for a Caltrain/SFO Shuttle from the Bay Area Air Quality Management District under AB 434 funds, California Clean Air Act Legislation, for a one-year trial operation period at the end of which the Airports Commission shall again review the funding of this service; waiving indirect costs. (Airports Commission)

File 213-93-1, Resolution No. 179-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Monday, March 8, 1993

CLOSED SESSION

Recess

At the request of President Alioto, the Board recessed at the hour of 2:19 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representative regarding compensation negotiations.

Reconvening of the Board

The Board, at the hour of 2:49 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Noted absent:

Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

Recommendation of Rules Committee

Adopted

[Appointment]

Resolution confirming Mayor's appointments of Evelyn Haas, Thomas Horn, Ray Taliaferro and Anthony Zanze to the San Francisco War Memorial Board of Trustees, for the terms to expire January 2, 1999. (Supervisor Alioto presented as recommendation of Rules Committee.)

File 33-93-2, Resolution No. 182-93

Monday, March 8, 1993

Supervisor Achtenberg, seconded by Supervisor Shelley, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

Resolution adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Migden, Shelley - 7.

Absent: Supervisors Hsieh, Kaufman, Kennedy, Maher - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Emperor Arcadia;
Ramona Albright;
Chena Hill;
Alma Lark;
Margaret Vergus;
Julie Green;
Rodney;
Brenda Alexander.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Migden requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Monday, March 8, 1993

Adopted as Amended

[Lifespan]

Resolution supporting the closure of the Bay Bridge for Lifespan, a ten kilometer running and walking event to benefit Bay Area charities. (Supervisor Migden)

File 12-93-10, Resolution No. 165-93

(March 1, 1993 - Introduced in Board for consideration on March 8, 1993.)

Supervisor Migden, seconded by Supervisor Bierman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted, by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Migden, Shelley - 6.

Absent: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Maher - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Migden, Shelley - 6.

Absent: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Maher - 5.

The Board resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commending Inspector Nevin]

Resolution commending Inspector Michael D. Nevin on his years of service to the people of the City and County of San Francisco. (Supervisor Shelley)

File 6-93-6, Resolution No. 163-93

(March 1, 1993 - Introduced in Board for consideration on March 8, 1993.)

Adopted.

[Commend]

Resolution honoring Primo Repetto as Salesian Boys' Club Man of the Year. (Supervisor Shelley)

File 6-93-7, Resolution No. 164-93

Monday, March 8, 1993

(March 1, 1993 - Introduced in Board for consideration on March 8, 1993.)

Adopted.

[Workers Compensation]

Resolution urging the Mayor to review the process for selection of a third party administrator for the Workers Compensation system.
(Supervisor Conroy)

File 210-93-1, Resolution No. 183-93

(March 1, 1993 - Introduced in Board for consideration on March 8, 1993.)

Adopted.

[Condominium]

Motion approving final map of Stoneridge, also known as 1750 Geneva Avenue, being a resubdivision of Lot 15, in Assessor's Block 6423; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-3

(March 1, 1993 - Introduced in Board for consideration on March 8, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Migden, Shelley - 6.

Absent: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Maher - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

Monday, March 8, 1993

File 1-93-10, Resolution No. 161-93

(Angela Alioto, President, Board of Supervisors, March 9 - 10; Carole Miqden, member, Board of Supervisors, March 18 - 23; Lucille Abrahamson, member, Human Rights Commission, February 19 - 28 and March 6 - 11; Nancy Bechtle, member, Art Commission, March 1 - 2 and March 12 - April 6; Rebecca Castaneda, member, Health Commission, April 17 - 24; Bernard Clotty, member, Commission on the Aging, February 20 - 24; George James, member, Film and Video Arts Commission, February 20 - 27; Fred E. Jordan, Jr., Chief Probation Officer, March 17 - 21; Willis Kirk, member, Art Commission, February 17 - 24; Keith I. Marton, M.D., member, Health Commission, March 27 - April 4; John L. Molinari, President, Parking and Traffic Commission, June 12 - 28; Patrick A. Murphy, member, Airports Commission, February 13 - 23 and March 4 - 5; Harry S. Parker, III, Director, Fine Arts Museums, March 12 - 17; Anthony Ribera, Chief of Police, March 19 - 22; Juan Rios, member, Civil Service Commission, February 16 - 19; Arlene M. Sauser, Chief Adult Probation Officer, March 1 - 4; John L. Taylor, Clerk of the Board of Supervisors, May 14 - 31; L.A. Turpen, Director of Airports, March 16 - 19; Joanne Chow Winship, Director, Art Commission, February 16 - 18, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[United Nations]

Resolution inviting the United Nations Commission on the Status of Women to hold its 1995 preparatory conference for the Fourth World Conference on Women in San Francisco.

File 13-93-8, Resolution No. 162-93

Supervisor Shelley presented for immediate adoption.

Adopted.

[HIV-infected Haitian Refugees]

Resolution urging the President of the United States to allow entry of HIV-infected Haitians into the United States for medical care.

File 13-93-9, Resolution No. 160-93

Supervisor Alioto presented for immediate adoption.

Adopted.

Monday, March 8, 1993

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Migden, Shelley - 6.

Absent: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Property, Sale of Surplus]

Ordinance authorizing and directing the sale of surplus city-owned property known as a portion of Water Department Parcel 55 located at Lake Merced Boulevard and John Muir Drive and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Alioto presented.) Referred to Budget Committee.

File 96-93-1

[Stadium Operator Admission Tax]

Ordinance amending Part III, Municipal Code, by amending Sections 802 and 807 to eliminate the expiration of the exemption from admissions tax for tickets sold at \$12.99 or less, raising the maximum ticket price qualifying for exemption from \$12.99 to \$25.01 and increasing the rate of the stadium admission tax from 50 cents to \$1.50. (Supervisor Alioto presented.) Referred to Budget Committee with request it be considered at the March 17, 1993 meeting.

File 127-93-1

[Federal Funding - Community Development]

Resolution approving the transfer of \$26,326 of Community Development Block Grant funds from the Community Housing Rehabilitation Program Pool to the Chief Administrative Officer for UMB (unreinforced masonry building) Program Development and approving addendum No. 1 to the 1993 Community Development Program. (Supervisor Shelley presented.) Referred to Budget Committee.

File 79-93-1

[Grant - Federal Funds]

Resolution authorizing the Executive Director of the Port to apply for, accept and expend \$250,000 from the U. S. Department of Commerce (NOAA) for the San Francisco Fisheries and Environmental Research Center. (Supervisor Shelley presented.) Referred to

Monday, March 8, 1993

Government Efficiency and Labor Committee.

File 144-93-1

Requests for Hearings:

File 176-93-2, By Supervisors Hallinan, Bierman: To consider plans by the Bank of America for employee layoffs and for reductions in employee health insurance and other related benefits and its impact on San Francisco. Referred to Government Efficiency and Labor Committee.

File 218-93-1, By Supervisor Shelley: To consider feasibility of having a graffiti hotline established where City and volunteer agencies efforts can be coordinated to help in eradicating graffiti. Referred to Health and Public Safety Committee.

File 219-93-1, By Supervisors Alioto, Migden: To consider how City departments can reduce waste, through use of waste task forces, increased audits and line-item reviews. Referred to Government Efficiency and Labor Committee.

Motion

Referred to Board

[Salary Standardization]

Motion extending to and including April 19, 1993, the date for passage for second reading and extending to and including April 26, 1993, the date for the final adoption of the Salary Standardization Ordinance for persons employed by the City and County, the Community College District and the Unified School District whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the City Charter. (Supervisor Alioto presented.) Referred to Board March 15, 1993 For Adoption Without Committee Reference Calendar.

File 106-93-2

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-12. [Settlement of Litigation] Authorizing settlement of litigation of William Besk, et al., against the City and County of San Francisco, et al, according to the terms and conditions of the stipulation of dismissal. (City Attorney) Government Efficiency and Labor

File 46-93-4. [Settlement of Lawsuit] Authorizing settlement of Toni Graeven, et al., v. Ford Motor Co., Inc., et al., upon receipt of \$1,000 as well as compromise and release and release of lien. (City Attorney) Government Efficiency and Labor

File 46-93-5. [Settlement of Lawsuit] Authorizing settlement of Percy George v. Joseph A. Maguire, Jr., et al., upon receipt of the compromise and release and release of lien. (City Attorney) Government Efficiency and Labor

File 97-93-11. [Employee Health Coverage] Amending Administrative Code by amending Section 16.157, approving Health Service System plans and rates of contribution as adopted by the Health Service Board. (Health Service System) Government Efficiency and Labor

File 121-93-1. [Union Square and Fisherman's Wharf Sightseeing Bus Stands] Amending the Police Code by amending Article 16 (regulations for motor vehicles for hire), Division IV (sightseeing and interurban buses), Section 1159 thereof to (1) place the issuance of permits for Union Square and Fisherman's Wharf sightseeing vehicle stands under the jurisdiction of the Department of Parking and Traffic; (2) to provide for a competitive bidding procedure for the issuance of the Union Square permit; and (3) to make miscellaneous amendments to the criteria used in issuing the Union Square permit. (Department of Parking and Traffic) Health and Public Safety

Resolutions Referred to Committee

File 30-92-4.1. [AB 75 Capital Outlay Plan] Authorizing amendment to the AB 75 Capital Outlay Plan for the City and County of San Francisco, as adopted by Resolution No. 125-91 to revise one previously approved San Francisco General Hospital Project Budget, to add three San Francisco General Hospital Projects and to authorize expenditure of \$281,602 of interest earned on Hospital AB 75 Capital Outlay funds for capital improvement projects at San Francisco General Hospital. (Also see Files 146-91-4 and 30-92-4) (Department of Public Health) Government Efficiency and Labor

File 146-92-67.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to accept and expend a grant of \$1,135,853, which includes indirect costs in the amount of \$120,770 based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for Tuberculosis Control in San Francisco. (Department of Public Health) Government Efficiency and Labor

File 146-92-77.1. [Grant - Federal Funds] Authorizing the Department of Public Health, Community Public Health Service, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to accept and expend a grant of \$470,960, which includes indirect costs in the amount of \$43,135, based on twenty percent of salaries, from the Centers for Disease Control and Prevention, for the continued operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center for the resident of San Francisco; companion measure to File 146-92-77. (Department of Public Health) Government Efficiency and Labor

File 146-92-80.1. [Grant - Federal Funds] Authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$17,193,711, from the Health Resources and Services

Monday, March 8, 1993

Administration to continue funding the Ryan White Comprehensive Aids Resources Emergency (CARE Title I) Supplemental Disaster Relief Grant Project; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

File 10-93-1. [Permit] Granting revocable permission to Hines Interests Limited Partnership to occupy a portion of the street area at Leidesdorff Street between Halleck and Sacramento Streets with multicolor patterned concrete pavement, planter pots, concrete trash receptacles, fabric banners, banner posts, removable pipe barricades for lunch time closures and other related improvements, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 28-93-2. [Emergency Repair] Approving emergency expenditure for repair to the sewer piping system at the City's Hetch Hetchy, Moccasin Facility. (Public Utilities Commission) Budget

File 61-93-2. [Contract Award Extension] Granting extension of time to award Municipal Railway Contract No. MR-1150, Muni Metro Turnaround Facility. (Public Utilities Commission) Government Efficiency and Labor

File 146-93-11. [Grant - Federal Funds] Authorizing the Department of Public Health, Homeless Program, to accept and expend as sub-grantee an augmentation to a grant of \$598,867, from the San Francisco Community Clinic Consortium of Federal Public Health Services funds for primary health care and substance abuse services including a required match of thirty-three percent of the total project or \$299,434; waiving indirect costs, and providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 147-93-2. [Grant - State Funds] Authorizing the City Librarian to apply, accept and expend funds retroactively, not to exceed \$45,545 available through the California Library Service Board matching funds for Student Matching and Student Support Service Program, which includes indirect costs in the amount of \$2,278 or five percent of the total grant. (Public Library) Government Efficiency and Labor

File 147-93-3. [Grant - Federal Funds] Authorizing the City Librarian to apply for funds not to exceed \$28,445 available through the United States Department of Education for a Project Read Student Support Service Program, which includes indirect costs in the amount of \$1,355 or five percent of the total grant. (Public Library) Government Efficiency and Labor

File 147-93-4. [Grant - Federal Funds] Authorizing the City Librarian to apply for funds not to exceed \$34,965 available through the United States Department of Education for a Project Read Outreach Project, which includes indirect costs in the amount of \$1,665 or five percent of the total grant. (Public Library) Government Efficiency and Labor

File 147-93-5. [Grant - Federal Funds] Authorizing the City Librarian to apply for funds not to exceed \$34,997 available through the United States Department of Education for a Project Read Student Support Services Program, which includes indirect costs in the amount of \$1,667 or five percent of the total grant. (Public Library) Government Efficiency and Labor

File 147-93-6. [Grant - Federal Funds] Authorizing the Public Library to apply for \$35,000 in grant funds from the United States Department of Education Library Services and Construction Act (LSCA) for the purchase of foreign language materials for the fiscal year 1993-94; with indirect costs not included in this budget. (Public Library) Government Efficiency and Labor

File 170-93-2. [General Obligation Bonds] Authorizing and directing the sale of City and County of San Francisco \$15,500,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1993A; \$65,000,000 principal amount of General Obligation Bonds, (Public Safety Improvement Project, 1990), Series 1993B; \$8,360,000 principal amount of General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1993C and \$16,600,000 principal amount of General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1993D; prescribing the terms and form of said bonds; approving forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving official statement relating thereto; consenting to submission of bids by co-financial advisors; and authorizing execution of necessary documents. (Chief Administrative Officer) Budget

File 170-93-3. [Bond Sale] Providing for the issuance of \$76,300,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Golden Gate Park Improvement, 1992), including the issuance of an initial series thereof in the aggregate principal amount of \$8,360,000 and designated as the City and County of San Francisco General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1993C; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer) Budget

File 170-93-4. [Bond Sale] Providing for the issuance of \$40,800,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Fire Department Facilities Improvement, 1992), including the issuance of an initial series thereof in the aggregate principal amount of \$16,600,000 and designated as the City and County of San Francisco General Obligation Bonds (Fire Department Facilities Improvements, 1992), Series 1993D; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer) Budget

Monday, March 8, 1993

File 270-93-1. [Mayor's Earthquake Emergency Relief Fund Expenditure] Approving expenditure of \$37,686 from the Mayor's Earthquake Relief fund for the purpose of funding position of 9764 Assistant to the Chief Administrative Officer V for the Unreinforced Masonry Building Bond Program. (Chief Administrative Officer) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Recreation and Park Department, to determine what the recommendations are to improve traffic safety conditions in Stern Grove's parking lot.

By Supervisor Conroy, that letter of inquiry be sent to Chief of Police, concerning traffic safety conditions at Stern Grove, to determine whether there are plans to increase police presence.

By Supervisor Shelley, that letter of inquiry be sent to General Manager, Public Utilities, to determine the status of the Commission's Graffiti Task Force, to include but not be limited to whether the task force is going to continue to meet, the composition of the task force and any proposed suggestions that the task force may have developed in the course of its meetings.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Chace Michael Coe (Supervisor Kennedy)
Ardie Greenly (Supervisor Kennedy)
Dolores J. Mazlarz Hagan (Supervisors Maher, Conroy)
Martha McCam Gillham (Supervisor Maher)

File 2-93-10

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:25 p.m. adjourned.

John L. Taylor, Clerk

Monday, March 8, 1993

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 30, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88

No. 11

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Monday, March 15, 1993

Wednesday, March 17, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 15, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:09 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Achtenberg, Maher - 2.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Maher excused. (See infra.)

Supervisors Achtenberg and Maher Excused

The Clerk announced that Supervisors Achtenberg and Maher requested to be excused from attending today's meeting.

Thereupon, Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisors Achtenberg and Maher from attending today's meeting.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor

Monday, March 15, 1993

Conroy, seconded by Supervisor Kennedy, moved that the Journals of Proceedings for Monday, August 24, August 31, and Tuesday, September 8, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Presentation Made

There being no objection, the privilege of the floor was granted to Barbara Crowley, Vice Chair and Presiding Member, Conservation Programs Committee, California Energy Commission.

Ms. Crowley presented a framed plaque to the City and County for "Outstanding Energy Achievement in Local Government" for its energy-efficiency projects in the General Hospital and County Jail. The Commission's Energy Excellence" award is for the City and County's exceptional efforts to improve energy efficiency in many other facilities through the Bureau of Energy Conservation programs and for setting an example for other urban counties and helping to achieve the broader state goals for energy security, environmental quality and economic growth.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Danielle Goldman against the City and County, by payment of \$7,500. (City Attorney)

File 45-93-8, Ordinance No. 77-93

(Municipal Court No. 080-021.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Paul Johngrass against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-9, Ordinance No. 78-93

(Superior Court No. 932-380.)

Monday, March 15, 1993

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Kippie Locati, et al., v. Michael Emerson Tamas, et al., upon receipt of the compromise and release and acknowledgement of credit rights and release of lien. (City Attorney)

File 46-93-1, Ordinance No. 79-93

(Superior Court No. 940384.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Kathryn Sullivan, et al., v. Pacific Bell, Mona Lesa Loke, et al., upon receipt of the sum of \$11,000 and dismissal of complaint. (City Attorney)

File 46-93-2, Ordinance No. 80-93

(Superior Court No. 930877.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Harvey Iosua, et al., v. Dana Chaqui Prince Harper, et al., upon receipt of the sum of \$30,500 and dismissal of complaint. (City Attorney)

File 46-93-3, Ordinance No. 81-93

(Superior Court No. 935021.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Monday, March 15, 1993

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Third Amendment to Marine Terminal Agreement]

Ordinance approving the Third Amendment to Marine Terminal Agreement between Nedlloyd Lines and the San Francisco Port Commission. (Port)

File 172-93-3, Ordinance No. 76-93

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted

[Reimbursement to Employees]

Resolution authorizing reimbursement for cost of personal property of City and County employees damaged or stolen in the line of duty. (Government Efficiency and Labor Committee)

File 51-92-4, Resolution No. 194-93

(Total - \$817.95.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$3,100,000, Water Department, for various capital improvement projects; placing \$550,000 on reserve. (Controller)

File 101-92-42, Ordinance No.

Passed for second reading by the following vote:

Monday, March 15, 1993

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Government Funding]

Ordinance appropriating \$19,565,390, Water Department, for various capital improvement projects; placing \$8,240,000 on reserve. (Controller)

File 101-92-43, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted

[Airport Administration]

Resolution approving a declaration of emergency for emergency cable replacement (cable 12BPBG-2), San Francisco International Airport, \$29,696. (Airports Commission)

File 27-93-2, Resolution No. 191-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Airport Administration]

Resolution approving a declaration of emergency for emergency transformer repair, LC-T84, B/A "F" Hub, (Airport Contract No. 3230) San Francisco International Airport, \$62,000. (Airports Commission)

File 27-93-3, Resolution No. 192-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Monday, March 15, 1993

Recommendations of Health and Public Safety Committee

Passed for Second Reading

[Lead Advisory Committee]

Ordinance amending Health Code, to provide term limits for advisory committee members appointed under the Comprehensive Lead Hazard Reduction Program. (Supervisor Shelley)

File 118-93-2, Ordinance No.

(Amends Sections 1607, 1608.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted

[Mission Street Vendors]

Resolution urging the Mayor to urge the Police Department to continue and increase the citation of illegal vendors in the Mission District. (Supervisor Conroy)

File 207-92-12.1, Resolution No. 200-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Buy Bust Program]

Resolution urging the Mayor to urge the Police Department to continue and increase their "Buy Bust" Program. (Supervisors Conroy, Shelley)

File 207-92-12.2, Resolution No. 201-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

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[Managed Care]

Resolution urging the Department of Public Health to pursue and evaluate implementation of a managed care system for San Francisco's Medi-Cal clients. (Supervisor Shelley)

File 30-93-4, Resolution No. 42-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1508 re-establishing the official width of sidewalk on the east side of DeHaro Street between 16th and 17th Streets, said sidewalk width to be eight feet; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Passed for Second Reading as Amended

[Rent Ordinance]

((Ordinance amending Administrative Code to provide that petitions for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increases, to limit the amount tenants may recover in civil actions for null and void rent increases, and to change the title of Executive Secretary to Executive Director.)) (Residential Rent Stabilization and Arbitration Board)

Ordinance amending San Francisco Administrative Code by amending Sections 37.4, 37.7, 37.8 and 37.11A thereof to provide that petitions for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers

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may refund and the amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases except in cases of rent overpayments being made in bad faith by the landlord, and to change the title of Executive Secretary to Executive Director.

File 109-93-1, Ordinance No.

(Amends Sections 37.4, 37.7, 37.8 and 37.11A.)

Supervisor Migden, seconded by Supervisor Kennedy, moved an amendment of the whole entitled "Ordinance amending the San Francisco Administrative Code by amending Sections 37.4, 37.7, 37.8 and 37.11A thereof to provide that petitions for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund and the amount tenants may recover in civil actions for rent overpayments resulting from null and void rent increases except in cases of rent overpayments being made in bad faith by the landlord, and to change the title of Executive Secretary to Executive Director".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Consideration Continued

[Prohibition Against Restriction on Number of Occupants]
Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies. (Supervisor Achtenberg)

File 179-93-1, Ordinance No.

(Amends Sections 503, 204.)

Supervisor Bierman, seconded by Supervisor Kennedy, moved to continue consideration to March 22, 1993.

Motion to continue adopted by the following vote:

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Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Recommendations of Rules Committee

Adopted

[Appointment]

Resolution appointing member to the San Francisco Drug Abuse Advisory Board. (Rules Committee)

File 92-92-69, Resolution No. 199-93

(Juan Oyarzun, public slot, vice Jacquie H. Hansen, resigned, for the unexpired portion of a three-year term ending October 1, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointment]

Resolution appointing member to the Emergency Medical Care Committee; making findings waiving residency requirement. (Rules Committee)

File 92-93-7, Resolution No. 195-93

(Paul Miller, American Red Cross/Bay Area, vice Ron Bistolfo, resigned, for the unexpired portion of the three-year term ending June 30, 1993.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointments]

Resolution appointing members to the Veterans Affairs Council, terms expired, terms ending January 31, 1997. (Rules Committee)

File 92-93-8, Resolution No. 196-93

(Roberto Binelli, vice Mark Buell, Category 4;
Paul D. Hardman, vice himself, Category 2.)

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Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointments]

Resolution appointing members to the Telecommunications Policy Committee, terms expired, for new two-year terms ending February 1, 1995. (Rules Committee)

File 92-93-9, Resolution No. 197-93

(Sue Levitin, vice herself, Viacom;
Zane G. Blaney, vice Steve Werth, public;
Owen Seitel, vice Ron Wong, public;
George E. McBride, vice Harold Layer, education.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Appointment]

Resolution appointing member to the Developmental Disabilities Board Area V. (Rules Committee)

File 92-93-10, Resolution No. 198-93

(Barbara Turner, vice herself, for the three-year term ending December 31, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

[Kay Yu Appointment]

Motion urging that the City Attorney consider bringing suit in quo warranto to resolve the legality of the Public Utilities Commission. (Supervisor Hallinan)

File 191-93-1

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Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to April 19, 1993.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Conroy, Hsieh, Kaufman - 3.

Noes: Supervisors Alioto, Bierman, Hallinan, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Hsieh, Kaufman - 2.

Absent: Supervisors Achtenberg, Maher - 2.

The President reassumed the Chair.

Consideration Continued

[Voting Order]

Motion amending the Rules of Order to provide Supervisors shall vote in a rotating manner, with the first Supervisor to vote being changed at each regular meeting, by adding Rule 2.27. (Supervisor Alioto)

File 56-93-2

(Rule 1.3 of the Board of Supervisors' Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to March 22, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

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Absent: Supervisors Achtenberg, Maher - 2.

Committee Assignments

Effective March 15, 1993, President Alioto made the following changes in committee assignments:

Budget Committee

Supervisors Migden, Hsieh, Alioto

Housing and Land Use Committee

Supervisors Migden, Maher, Shelley.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri;
Alma;
Mike Nolte;
Patricia Vaughey;
Louise Vaughn;
George Clark;
Jerry Clark;
Kathy Perry;
Ace Washington;
John Nolte.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Salary Standardization]

Motion extending to and including April 19, 1993, the date for passage for second reading and extending to and including April 26, 1993, the date for the final adoption of the Salary Standardization Ordinance for persons employed by the City and County, the Community College District and the Unified School District whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the City Charter. (Supervisor Alioto)

File 106-93-2

(March 8, 1993 - Introduced in Board for consideration on March 15, 1993.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

EMERGENCY CALENDAR

Adopted as Amended

[Needle Exchange Program]

Motion concurring in the determination by the Mayor of the necessity for declaring a local emergency and directing the Department of Public Health to implement a Needle Exchange Program. (Mayor)

File 30-93-5

The following emergency proclamation was received from the Mayor:

Declaration of a Local Emergency

By virtue of the power vested in me under California Government Code Sections 8550 et seq., Section 3.100 of the Charter of the City and County of San Francisco, and San Francisco Administrative Code Section 7.6, I do hereby declare a public emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease.

By virtue of said power, I do hereby direct the Department of Public Health, acting through the Health Commission and the Director of Public Health, to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection. The Health Commission and the Director of Public Health may implement the needle exchange program by entering into a contract for the provision of needle exchange services. The contract may include a provision whereby the City promises to indemnify the contractor and subcontractor from liability in a civil action for injury damage or a disciplinary proceeding by a licensing agency resulting from the provision of needle exchange services required under the contract. The agreement to provide indemnification may extend to the officers and director of the contractor and subcontractor.

In witness whereof, I have hereunto set my hand and caused the official seal of the City and County of San Francisco to be affixed this day of March 15, 1993.

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/s/Frank M. Jordan
Frank M. Jordan
Mayor

Supervisor Alioto, seconded by Supervisor Kennedy, moved an amendment of the whole to the main motion bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Hsieh requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Refused Adoption; Rescinded;
Refused Adoption; Rescinded;
Consideration Continued

[Election]

Motion calling a Special Election to be held on June 15, 1993, for the purpose of submitting to the voters of the City and County of San Francisco a proposed ordinance by the San Francisco County Public Finance Authority imposing a one quarter of one percent transactions and use tax and for other purposes, conditioned upon the Public Finance Authority voting again, by May 6, 1993, to place this proposition before the voters, or the Board of Supervisors shall cancel the June 15, 1993 Special Election, and agreeing that the San Francisco Unified School District and the City College of San Francisco shall pay to the City and County of San Francisco by May 6, 1993 the estimated costs for the conduct of the June 15, 1993 Special Election.

File 60-93-2

Supervisor Migden presented for immediate adoption.

Supervisor Migden, seconded by Supervisor Hallinan, moved that the need to take action arose subsequent to the publication of the calendar.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

Supervisor Hsieh requested this matter be referred to Committee.

In response to the Supervisor's inquiry, Deputy City Attorney Ted Lakey stated the Local Public Finance Authority is asking the Board of Supervisors to place this matter before the voters.

In response to further inquiries from the Supervisors, Deputy City Attorney indicated that state law gives the Local Public Finance Authority the power to adopt an ordinance ordering submission of an transaction and tax ordinance to the voters and to request the Board of Supervisors to call a special meeting for this purpose. The State Revenue and Taxation Code states the county shall call a special election for this purpose.

Refused Adoption

After a period of debate the roll was called on the pending legislation and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley - 7.

Noes: Supervisors Conroy, Hsieh - 2.

Absent: Supervisors Achtenberg, Maher - 2.

Motion to Rescind

Supervisor Kennedy, seconded by Supervisor Bierman, moved to rescind the previous vote:

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

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Refused Adoption

After a period of debate, the roll was called on the pending legislation and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Maher - 2.

Motion to Rescind

Supervisor Kennedy, seconded by Supervisor Migden, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

In response to the Supervisors inquiries, Deputy City Attorney stated that if the Board is interested in scheduling the special election for June 15, this matter could be recessed until a date later this week. The Board could act and still meet the June 15 deadline. Next Monday will be too late.

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue this matter to a recessed meeting on Wednesday, March 17, 1993, at 3:00 p.m.

Motion to continue to recessed meeting adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

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File 1-93-11, Resolution No. 184-93

(Roberta Achtenberg, member, Board of Supervisors, March 15 - 17; Carole Migden, member, Board of Supervisors, March 18 - 23; Raymond Baxter, Director of Health, March 9; Sidney Chan, member, Recreation and Park Commission, April 13 - 23; Marilyn Chow, member, Social Services Commission, March 4 - 7 and 11 - 14; John E. Cribbs, Director of Public Works, March 11 - 22; Kenneth Dowlin, City Librarian, April 25 - 28; Keith Eickman, member, Recreation and Park Commission, March 6 - 13; Michael Huerta, Executive Director, Port, March 4; Patrick McGrew, member, Landmarks Board, March 2 - 12; Patrick Murphy, President, Airports Commission, March 4, 5 and 12; John E. Newlin, Executive Director, Parking and Traffic, March 19 - 23; Trent W. Orr, President, Recreation and Park Commission, April 22 - May 13; Anthony D. Ribera, Chief of Police, March 19 - 22 and March 28 - April 2; Roselyne C. Swig, member, Library Commission, March 20 - 23; Mason Wong, member, Retirement Board, February 26 - March 8, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

[Commendations]

Resolution congratulating Sherry Davis and commending the San Francisco Giants.

File 6-93-8, Resolution No. 189-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Commendations]

Resolution expressing the gratitude of the City and County of San Francisco to Barbara Johnson for her generous donation of two-thirds of the J. Porter Shaw Library dealing with whaling in San Francisco and commending those institutions who pursued the acquisition of this collection and declaring March 26, 1993 SAN FRANCISCO WHALES AND WHALING DAY.

File 6-93-9, Resolution No. 188-93

Supervisor Bierman presented for immediate adoption.

Adopted.

[Commendations]

Resolution commending Margaret Brady on her 75th birthday on March 20, 1993.

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File 6-93-10, Resolution No. 187-93

Supervisor Bierman presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Steiner Street, between Pacific Avenue and Broadway, from Tuesday, March 23, 1993, 7:00 a.m. to Wednesday, March 24, 1993, 2:00 a.m. (intermittently as needed); Steiner Street, between Pacific Avenue and Broadway, Saturday, April 3, 1993, 7:00 a.m. to Sunday, April 4, 1993, 2:00 a.m. (intermittently as needed); Bannam Alley, between Union Street and Green Street, Wednesday, April 7, 1993, 3:00 p.m. to Friday, April 9, 1993, 7:00 a.m. (intermittently as needed).

File 42-93-11, Resolution No. 186-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of portion of Union Street, between Gough and Fillmore Streets; Filbert Street, between Steiner and Fillmore Streets; and Pixley Street, between Fillmore and Webster Street on Sunday, April 11, 1993, 11:00 a.m. to 4:00 p.m.

File 42-93-12, Resolution No. 185-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Government Funding]

Monday, March 15, 1993

Ordinance appropriating \$50,000. Commission on the Status of Women, for professional services to restore funds for emergency shelters for battered women; subject of previous budgetary denial. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-46

[Government Funding]

Ordinance appropriating \$373,000, Parking and Traffic Department, for temporary salaries, overtime, mandatory fringe benefits, vehicle rental and materials and supplies to repair damaged parking meters. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-48

[Government Funding]

Ordinance appropriating \$2,500,000, Municipal Railway, for claims and judgements. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-49

[Government Funding]

Ordinance appropriating \$3,235,100, Police Department, for permanent salaries - miscellaneous, permanent salaries - uniform, premium pay - uniform, differential pay, overtime - uniform and mandatory fringe benefits and rescinding \$850,000 from other fringe benefits to fund current levels of expenditure. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-50

[Government Funding]

Ordinance appropriating \$255,000, Police Department, for permanent salaries - miscellaneous, premium pay - miscellaneous and related mandatory fringe benefits for the creation of ten (10) positions. (Supervisor Conroy presented.) Referred to Budget Committee.

File 101-92-51

[Government Funding]

Ordinance appropriating \$27,901, Police Department, for permanent salaries - miscellaneous and related mandatory fringe benefits to fund four (4) positions dealing with jail overcrowding. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-52

[Government Funding]

Ordinance appropriating \$132,491, Department of Social Services, for other contractual services to fund representative payee services for homeless SSI recipients. (Supervisor Migden presented.) Referred to Budget Committee.

Monday, March 15, 1993

File 101-92-53

[Government Funding]

Ordinance appropriating \$750,000, Sheriff Department, for materials and supplies for food and clothing for inmates. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-54

[Government Funding]

Ordinance appropriating \$692,702, Sheriff Department, for overtime. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-55

Referred to Board

[Proclamations]

Resolution commending San Francisco's Caregivers and urging the Mayor to proclaim May 3, 1993 CAREGIVERS WEEK and May 6, 1993 as CAREGIVERS DAY in San Francisco. (Supervisors Bierman and Alioto presented.) Referred to Board March 22, 1993 for Adoption Without Committee Reference.

File 4-93-6

[City Planning Code]

Resolution extending to July 15, 1993 the time for the City Planning Commission to render its decision on an amendment to City Planning Code Section 719.25 initiated by the Board of Supervisors to allow for drive-up facilities as a conditional use in the Haight Street Neighborhood Commercial District. (Supervisor Hsieh presented.) Referred to Board March 22, 1993 For Adoption Without Committee Reference Calendar.

File 115-93-2.1

Referred to Committee

[Recreation and Park Department]

Resolution requesting 10-year loan of two Giant Panda Bears. (Supervisor Alioto presented.) Referred to Health and Public Safety Committee.

File 193-93-4

[Creating Commission]

Resolution creating the National Service Blue Ribbon Commission to develop a comprehensive plan in San Francisco of public service to implement the National Service Program. (Supervisor Bierman presented on behalf of Supervisors Achtenberg and Bierman.) Referred to Rules Committee.

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File 221-93-1

Requests for Hearings:

File 108-93-1, By Supervisor Alioto: To consider HIV and youth services. Referred to Health and Public Safety Committee with request it be considered at the March 23, 1993 meeting.

File 165-93-1, By Supervisor Conroy: To review the Budget Analyst's Management Audit report of the San Francisco Clean Water Enterprise with the goal of lowering the Sewer Service Charge. Referred to Government Efficiency and Labor Committee.

File 174-93-3, By Supervisors Kaufman and Alioto: To consider the endorsement of plans to bring the United Nations Commission on Sustainable Development to San Francisco and ask the Mayor to consider establishment of a Task Force or Committee of civic leaders to present the City's case to the United Nations and United States government officials. Referred to Economic Vitality and Social Policy Committee.

File 223-93-1, By Supervisors Conroy and Alioto: To consider the number of consultant contracts in place within each department, and the expenditures in excess of the authorized contract. Referred to Government Efficiency and Labor Committee.

File 224-93-1, By Supervisor Migden: To consider whether commercial properties, including One Market Plaza, have escaped reassessment on transfer ownership, and the budget implications of escaped reassessments. Referred to Budget Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-47. [Government Funding] Appropriating \$4,446,743, Controller-ISD, for program project budget (Data Center Relocation and Consolidation Project). RO #92186 (Controller) Budget

File 34-93-2. [Width of Sidewalk] Amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1509 changing the official width of sidewalk on the south side of Mission Street between Third and Fourth Streets as shown on the Department of Public Works Map Numbered Q-20-388; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works) Housing and Land Use

File 45-93-13. [Settlement of Litigation] Authorizing settlement of litigation of Cee Dent against the City and County of San Francisco, by payment of \$15,000. (City Attorney) Government Efficiency and Labor

File 45-93-14. [Settlement of Litigation] Authorizing settlement of litigation of Judith Kemper against the City and County of San Francisco, by payment of \$8,500.00. (City Attorney) Government Efficiency and Labor

Monday, March 15, 1993

File 186-93-1. [Transfer of Steam Franchise] Approving transfer of the Steam Franchise authorized by the Board of Supervisors under Ordinance No. 418-75 from the Pacific Gas and Electric Company to San Francisco Therman, L.P. (Chief Administrative Officer) Government Efficiency and Labor

Resolutions Referred to Committee

File 38-93-3. [Acceptance of Gift] Accepting a gift to the San Francisco Public Library for the Blind and Print Handicapped of a computer work station, valued at \$16,986 from Pacific Bell, the Bothin Foundation, and the George S. Ladd Chapter Number 27 of the Telephone Pioneers of America. (Public Library) Government Efficiency and Labor

File 48-93-9. [Settlement of Claim] Approving the settlement of the unlitigated claim of Victor Bradley by payment of \$10,824.51. (City Attorney) Government Efficiency and Labor

File 48-93-10. [Settlement of Claim] Approving the settlement of the unlitigated claim of Denise Thurman and Veronica Butler by payment of \$32,500. (City Attorney) Government Efficiency and Labor

File 64-93-5. [Lease of Real Property] Authorizing a new lease of real property at One Market Plaza for the Controller's Informational Services Division's Data Center. (Real Estate Department) Government Efficiency and Labor

Referred to Board

File 172-93-11. [In-Home Supportive Services Contract] Finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract. (Department of Social Services) Scheduled for Public Hearing before Board on March 22, 1993 at 3:00 p.m.

Referred to Committee

File 172-93-12. [SB 910 Targeted Case Management Contract] Authorizing the Department of Public Health, to execute a contract in the amount of \$7,525,189 for the period of July 1, 1992 through June 30, 1994 for Medi-Cal Administrative Services, known as Targeted Case Management, with State Department of Health Services, including provision indemnifying the State. (Department of Public Health) Government Efficiency and Labor

File 172-93-13. [Rent Supplement Contract] Approving amendment of the Alexis Apartments contract providing increase in monthly rent supplement payments to a maximum of fifteen-thousand dollars. (Mayor) Government Efficiency and Labor

Monday, March 15, 1993

File 172-93-14. [Compressed Natural Gas Vehicle] Authorizing the Purchaser of the City and County of San Francisco to enter into an agreement on behalf of the City and County with the California Energy Commission to obtain partial funding for a Compressed Natural Gas (CNG) light-duty vehicles and to participate in a CNG Demonstration and Evaluation Program. (Purchasing Department) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Conroy and Alioto that letter of inquiry be sent to all departments to determine the number of outside consultant contracts in place, the amount authorized, the amount expended, and the amount, if any, expended in excess of the authorized contract.

By Supervisor Conroy, that City Attorney draft legislation to include in city contracts a provision providing for punitive measures for contractors and consultants who knowingly overbill or overcharge the City.

By Supervisor Conroy, that letter be sent to Pacific Bell inquiring as to feasibility of increased use of rotary dial pay telephones in San Francisco in an effort to curb drug dealing which is facilitated by the use of touchtone pay phones and electronic beepers.

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Municipal Railway, to inquire about the benefits and costs with regard to use of "contravision" on San Francisco's buses.

By Supervisor Conroy, that City Attorney investigate the possibility of recouping the \$208,000 overbilling by Parsons Deleuw as identified in the Management Audit of the San Francisco Clean Water Enterprise.

By Supervisor Conroy, that City Attorney research, evaluate and report back to the Board whether the \$1.3 million billed to the City for contributions into the Parson Deleuw Employee Stock Option Program can be recovered as identified in the Management Audit of the San Francisco Clean Water Enterprise.

By Supervisor Conroy, that letter of inquiry be sent to the Director, Department of Parking and Traffic, to determine if any plans to improve traffic flow at the intersection of Scott and Oak Streets exist.

By Supervisor Kaufman, that letter of inquiry be sent to the Director, Department of Parking and Traffic to determine the feasibility of installing additional stop signs at the intersection of 21st Avenue and Cabrillo Street to create a four-way stop.

By Supervisor Kaufman, that letter of inquiry be sent to the Directors of the Department of Social Services, Department of Public

Monday, March 15, 1993

Health, San Francisco General Hospital, Community Mental Health Services, Police Department, Sheriff's Department, Municipal and Superior Courts, District Attorney, and the Public Defender to ascertain an estimate of the cost of services provided to parolees from the State Prison System; and that a letter of inquiry be sent to the Controller requesting data on the extent to which the City is reimbursed by the State for such costs through the SB 90 claim process or any other available mechanism.

By Supervisor Kennedy, that City Attorney prepare resolution to urge the Mayor to request the Art Commission to enter into serious negotiations with representatives of the San Francisco Muslim Community for the purpose of securing a long term lease for the Muslim Community to operate a Museum, Book Store, Gift Shop and School at property located at Turk and Fillmore Streets.

By Supervisor Kennedy, that City Attorney draft legislation to amend the Rent Ordinance to reduce the 5 percent paid on tenants security deposits by landlords to be more in line with the 1.5 percent that is now being paid on said security deposits by the banks.

By Supervisor Kennedy, that an urgent letter be sent to Mr. Henry G. Cisneros, Secretary of the US Department of Housing and Urban Development regarding the conditions that exist at the HUD managed Geneva Towers and Jackie Robinson Home as a result of tenant complaints of deplorable conditions as well as inhumane treatment from HUD and property management officials.

By Supervisor Shelley, that City Attorney amend the Base Closure legislation to include Treasure Island.

By Supervisor Alioto, that letter of inquiry be sent to the City Librarian regarding the reasons for closure of the main library on Fridays.

Motion to Recess

Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Board recess to reconvene at 3:00 p.m. Wednesday, March 17, 1993.

Motion to recess adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley, - 9.

Absent: Supervisors Achtenberg, Maher - 2.

RECESS

The Board, at the hour of 5:21 p.m., recessed to reconvene on Wednesday, March 17, 1993 at 3:00 p.m.

Jean Lum, Acting Clerk

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, March 17, 1993 - 3:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in recessed session on the above date with President Angela Alioto presiding.

The meeting was called to order at 3:04 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hsieh, Kaufman, Migden, Shelley - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Hallinan, Kennedy, Maher - 5.

Quorum present.

Supervisor Hallinan was noted present at 3:07 p.m.

Supervisor Kennedy was noted present at 3:06 p.m.

Consideration Resumed; Adopted

[Election]

Motion calling a Special Election to be held on June 15, 1993, for the purpose of submitting to the voters of the City and County of San Francisco a proposed ordinance by the San Francisco County Public Finance Authority imposing a one quarter of one percent transactions and use tax and for other purposes, conditioned upon the Public Finance Authority voting again, by May 6, 1993, to place this proposition before the voters, or the Board of Supervisors shall cancel the June 15, 1993 Special Election, and agreeing that the San Francisco Unified School District and the City College of San Francisco shall pay to the City and County of San Francisco by May 6, 1993 the estimated costs for the conduct of the June 15, 1993 Special Election. (Supervisor Migden presented.)

File 60-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

File 101-92-56 [Government Funding] Ordinance appropriating \$250,000, Public Health, for permanent salaries - miscellaneous, permanent salaries - nurses and related mandatory fringe benefits. (Supervisor Migden presented.) Referred to Budget Committee.

File 101-92-57 [Government Funding] Ordinance appropriating \$500,000, Chief Administrative Officer, program project budget (fire benefit assessment district project), placing \$60,042 on reserve. (Supervisor Migden presented.) Referred to Budget Committee.

Referred to Board

File 174-93-4 [Senior Services Plan Task Force] Resolution amending Resolution No. 214-92, which created a Senior Services Plan Task Force of 18 members to prepare a written strategic plan regarding the projected needs for seniors for the period 1994-1999, by adding two additional members to the Task Force, one to be nominated by Supervisor Bierman and the other to be nominated by Supervisor Kaufman, and further providing that membership of the task force shall automatically expand by one member each time a new supervisor is inaugurated, and each new supervisor shall be entitled to nominate a new member to the task force. (Supervisor Bierman presented.) Referred to Board March 22, 1992 For Adoption Without Committee Reference Calendar.

Referred to Committee

File 200-93-3, By Supervisor Alioto: To consider the need for and installation of public toilets. Referred to Economic Vitality and Social Policy Committee with request it be considered at the May 11, 1993 meeting.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Harvey Smith (Supervisor Shelley)
Mel Swig (By the entire Board)
John M. Woods (By the entire Board)

File 2-93-11

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:12 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Wednesday, March 17, 1993

Approved by the Board of Supervisors on September 7, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Vol. 88

No. 12

DOCUMENTS DEPT.

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SAN FRANCISCO
PUBLIC LIBRARY

Monday, March 22, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 22, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Shelley - 7.

Noted absent at first roll call:

Supervisors Conroy, Hsieh, Maher, Migden - 4.

Quorum present.

Supervisor Conroy excused. (See infra.)

Supervisor Hsieh excused. (See infra.)

Supervisor Maher was noted present at 2:12 p.m.

Supervisor Migden excused, on official leave of absence..

Supervisors Conroy and Hsieh Excused

The Clerk announced that Supervisors Conroy and Hsieh requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisors Conroy and Hsieh from attendance.

Motion to excuse Supervisors Conroy and Hsieh from attendance adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Conroy, Hsieh, Maher, Migden - 4.

Monday, March 22, 1993

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Referred to Budget Committee

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of William Besk, et al., against the City and County, et al, according to the terms and conditions of the stipulation of dismissal. (City Attorney)

File 45-93-12, Ordinance No.

(United States District Court No. C91-3453 WHO.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to refer the above subject legislation to the Budget Committee.

Motion to refer to Committee adopted by the following vote.

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$3,100,000, Water Department, for various capital improvement projects; placing \$550,000 on reserve. (Controller)

File 101-92-42, Ordinance No. 83-93

Finally passed.

Monday, March 22, 1993

[Government Funding]

Ordinance appropriating \$19,565,390, Water Department, for various capital improvement projects; placing \$8,240,000 on reserve. (Controller)

File 101-92-43, Ordinance No. 84-93

Finally passed.

Recommendation of Health and Public Safety Committee

Finally Passed

[Lead Advisory Committee]

Ordinance amending Health Code, to provide term limits for advisory committee members appointed under the Comprehensive Lead Hazard Reduction Program. (Supervisor Shelley)

File 118-93-2, Ordinance No. 85-93

(Amends Sections 1607, 1608.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1508 re-establishing the official width of sidewalk on the east side of DeHaro Street between 16th and 17th Streets, said sidewalk width to be eight feet; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-1, Ordinance No. 82-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of William Vincent Block against the City and County, by payment of \$17,114.59. (City Attorney)

File 45-93-10, Ordinance No.

Monday, March 22, 1993

(Superior Court No. 939-840.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Lauri Baptie against the City and County, by payment of \$500,000. (City Attorney)

File 45-93-11, Ordinance No.

(Superior Court No. 937-313.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Toni Graeven, et al., v. Ford Motor Co., Inc., et al., upon receipt of \$1,000 as well as compromise and release and release of lien. (City Attorney)

File 46-93-4, Ordinance No.

(Superior Court No. 942258.)

Passed for second reading.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Percy George v. Joseph A. Maguire, Jr., et al., upon receipt of the compromise and release and release of lien. (City Attorney)

File 46-93-5, Ordinance No.

(Superior Court No. 932242.)

Passed for second reading.

Adopted

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Hartford Insurance (insured George Sakaguchi) by payment of \$8,609.49. (City Attorney)

File 48-93-7, Resolution No. 210-93

Adopted.

Monday, March 22, 1993

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of CSAA Insurance (insured Fay Kwok) by payment of \$8,471.92. (City Attorney)

File 48-93-8, Resolution No. 211-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to accept and expend a continuation grant of \$17,193,711, from the Health Resources and Services Administration to continue funding the Ryan White Comprehensive Aids Resources Emergency (CARE Title I) Supplemental Disaster Relief Grant Project; waiving indirect costs. (Department of Public Health)

File 146-92-80.1, Resolution No. 221-93

Adopted.

[Grant - State Funds]

Resolution authorizing the City Librarian to apply, accept and expend funds retroactively, not to exceed \$45,545 available through the California Library Service Board matching funds for Student Matching and Student Support Service Program, which includes indirect costs in the amount of \$2,278 or five percent of the total grant. (Public Library)

File 147-93-2, Resolution No. 222-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply for funds not to exceed \$34,965 available through the United States Department of Education for a Project Read Outreach Project, which includes indirect costs in the amount of \$1,665 or five percent of the total grant. (Public Library)

File 147-93-4, Resolution No. 224-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply for funds not to exceed \$34,997 available through the United States Department of Education for a Project Read Student Support Services Program, which includes indirect costs in the amount of \$1,667 or five percent of the total grant. (Public Library)

Monday, March 22, 1993

File 147-93-5, Resolution No. 225-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Public Library to apply for \$35,000 in grant funds from the United States Department of Education Library Services and Construction Act (LSCA) for the purchase of foreign language materials for the fiscal year 1993/94; with indirect costs not included in this budget. (Public Library)

File 147-93-6, Resolution No. 226-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee
with Recommendation "Do Pass"

Passed for Second Reading

[Repeal - Giants Candlestick Lease Amendment Ordinance]
Ordinance repealing Ordinance 365-92, the Giants Candlestick Park lease amendment ordinance which approved a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately \$925,000 per year (amount will vary with attendance) through the year 1997, and assigns the right to further revenues in the amount of approximately \$440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease, by which ordinance the City further assumed the obligations for utilities and maintenance of the playing field at a cost of approximately \$250,000 per season, added a provision requiring the San Francisco Giants to provide complimentary tickets, and specified the effective date of the ordinance.

File 65-92-15.1, Ordinance No.

Monday, March 22, 1993

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

From Budget Committee
with Recommendation "Do Not Pass"

Tabled

[Referendum Submission - Giants Lease Amendments]
Motion ordering submitted Ordinance 365-92, the Giants Candlestick Park Lease Amendment Ordinance, for approval or disapproval at the Municipal Election to be held on November 2, 1993. (Clerk of the Board)

File 60-93-1

Supervisor Hallinan, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Recommendations of Housing and Land Use Committee

Rereferred to Committee

[Rent Ordinance]

Ordinance amending Administrative Code, to provide that petitions for capital improvements, rehabilitation, and energy conservation measures must be filed no later than seven years after the work has been completed, to limit the amount hearing officers may refund to tenants for null and void rent increases, to limit the amount tenants may recover in civil actions for null and void rent increases, except in cases of rent overpayments being made in bad faith by the landlord, and to change the title of Executive Secretary to Executive Director. (Residential Rent Stabilization and Arbitration Board)

File 109-93-1, Ordinance No.

(Amends Sections 37.4, 37.7, 37.8 and 37.11A.)

Supervisor Maher, seconded by Supervisor Kennedy, moved to rerefer to Committee.

Monday, March 22, 1993

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Passed for Second Reading

[Prohibition Against Restriction on Number of Occupants]
Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies. (Supervisor Achtenberg)

File 179-93-1, Ordinance No.

(Amends Sections 503, 204.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Recommendation of Rules Committee

Consideration Continued

[Voting Order]

Motion amending the Rules of Order to provide Supervisors shall vote in a rotating manner, with the first Supervisor to vote being changed at each regular meeting, by adding Rule 2.27. (Supervisor Alioto)

File 56-93-2

Supervisor Maher, seconded by Supervisor Achtenberg, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Stadium Operator Admission Tax]

Ordinance amending Part III, Municipal Code, providing an exemption from the payment of the stadium operator admission tax, by extending for two years, through December 31, 1994, the exemption from the payment of admission taxes on tickets sold at \$25.01 or less.
(Supervisor Alioto)

File 127-92-2.1, Ordinance No.

(Amends Section 807.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Adopted

[Emergency Repair]

Resolution approving emergency expenditure for repair to the sewer piping system at the City's Hetch Hetchy, Moccasin Facility.
(Public Utilities Commission)

File 28-93-2, Resolution No. 208-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Bond Issuance]

Resolution providing for the issuance of \$76,300,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Golden Gate Park Improvement, 1992), including the issuance of an initial series thereof in the aggregate principal amount of \$8,135,000 and designated as the City and County of San Francisco General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1993C; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer)

Monday, March 22, 1993

File 170-93-3, Resolution No. 202-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Bond Issuance]

Resolution providing for the issuance of \$40,800,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (Fire Department Facilities Improvements, 1992), including the issuance of an initial series thereof in the aggregate principal amount of \$16,410,000 and designated as the City and County of San Francisco General Obligation Bonds (Fire Department Facilities Improvements, 1992), Series 1993D; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer)

File 170-93-4, Resolution No. 203-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[General Obligation Bonds]

Resolution authorizing and directing the sale of City and County of San Francisco \$15,500,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1993A; \$65,000,000 principal amount of General Obligation Bonds, (Public Safety Improvement Projects, 1990), Series 1993B; \$8,135,000 principal amount of General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1993C and \$16,410,000 principal amount of General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1993D; prescribing the terms and form of said bonds; approving forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of sale and notice of intention to sell bonds; approving official statement relating thereto; consenting to submission of bids by co-financial advisors; and authorizing execution of necessary documents. (Chief Administrative Officer)

File 170-93-2, Resolution No. 204-93

Adopted by the following vote:

Monday, March 22, 1993

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Recommendations of Economic Vitality and Social Policy Committee

Adopted as Amended

[Children's Services Plan for the San Francisco Children's Fund] Resolution approving the Children's Services Plan for the San Francisco Children's Fund, as amended on March 16, 1993, in accordance with Charter Section 6.415; requesting further specifications of certain expenditures of the plan by June 1, 1993; and expressing the Board's intent to consider this issue further when the Children's Fund 1993-94 Budget is reviewed by the Board; and urging the Mayor to amend the plan to require applying agencies to demonstrate their ability to serve all children, regardless of race, sex or sexual orientation. (Supervisor Achtenberg)

File 185-92-5, Resolution No. 233-93

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to amend by adding the following "Whereas" clause: "Whereas, An analysis of demographic and economic data indicates that the use of Children's Fund revenues should be prioritized with consideration given to the special needs of underserviced cultural and ethnic groups;"

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Supervisor Kennedy, seconded by Supervisor Achtenberg, moved to amend by adding the following "Further Resolved" clause: "Further Resolved, That the implementation of the Plan and the expenditure of Children's Fund revenues should place a high priority on the needs of the underserviced cultural and ethnic groups in San Francisco".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Supervisor Shelley, seconded by Supervisor Maher, moved to amend page two, line 22, after "Projects" by adding "and non-personnel services portion of the administration budget of the children's budget of the Mayor's Office of Children Youth and Families".

Monday, March 22, 1993

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Supervisor Bierman, seconded by Supervisor Kaufman, moved to amend by adding the following "Further Resolved" clause: "Further Resolved, That the Board urges his Honor, the Mayor, to amend the Children's Services Plan to require that each agency applying for Children's Services Funds demonstrate a cross-cultural ability to serve children regardless of race, sex or sexual orientation, or that the agency present a plan to provide educational and training support which will allow them to appropriately serve all young people.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Adopted

[Children's Services Plan/Children's Fund Program Evaluations] Resolution declaring the intention of the Board of Supervisors to request independent program evaluations of the Children's Services Plan and the Children's Fund by an objective evaluator to be designated by the Board of Supervisors; urging the Mayor to seek private foundation grants to fund the evaluations; and urging the Mayor to supplement the private foundation grants with Children's Fund money, if needed. (Supervisors Kaufman, Bierman, Achtenberg, Shelley)

File 185-92-5.1, Resolution No. 234-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport - Service Contract]

Ordinance approving the "agreement for Operator-Assisted Long Distance Service from Public Pay Telephone" between AT&T and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-93-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

[Approval of Lease of Property]

Ordinance approving lease with Crowley Marine Services Inc. for occupancy of Pier 54 controlled by the San Francisco Port Commission. (Supervisor Shelley)

File 65-93-2, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Alioto, Conroy, Hsieh, Migden - 4.

The President reassumed the Chair.

Consideration Continued

[Employee Health Coverage]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution as adopted by the Health Service Board. (Health Service System)

File 97-93-11, Ordinance No.

(Amends Section 16.157.)

Monday, March 22, 1993

(Pursuant to Charter Section 8.423, this measure requires 9 votes.)

Supervisor Achtenberg, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Adopted

[AB 75 Capital Outlay Plan]

Resolution authorizing amendment to the AB 75 Capital Outlay Plan for the City and County, as adopted by Resolution No. 125-91 to revise one previously approved San Francisco General Hospital Project Budget, to add three San Francisco General Hospital Projects and to authorize expenditure of \$281,602 of interest earned on Hospital AB 75 Capital Outlay funds for capital improvement projects at San Francisco General Hospital; placing \$249,419 on reserve. (Department of Public Health)

File 30-92-4.1, Resolution No. 209-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing retroactively the Department of Public Health, Bureau of Epidemiology and Disease Control, Division of Tuberculosis Control, to accept and expend a grant of \$1,135,853, which includes indirect costs in the amount of \$120,770 based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control, for Tuberculosis Control in San Francisco. (Department of Public Health)

File 146-92-67.1, Resolution No. 219-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Community Public Health Service, Epidemiology and Disease Control, Sexually Transmitted Disease Control, to accept and expend a grant of \$413,743, which includes indirect costs in the amount of \$37,634, based on twenty percent of salaries, from the Centers for Disease Control and Prevention, for the continued operation of the San Francisco Sexually Transmitted Disease Prevention and Training Center for the residents of San Francisco. (Department of Public Health)

File 146-92-77.1, Resolution No. 220-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Contract Award Extension]

Resolution granting extension of time to award Municipal Railway Contract No. MR-1150, Muni Metro Turnaround Facility. (Public Utilities Commission)

File 61-93-3, Resolution No. 212-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Lease of Real Property]

Resolution authorizing a month-to-month lease of real property at Fox Plaza (1390 Market Street, 10th Floor) for the City Attorney; which term shall not extend beyond December 31, 1993. (Real Estate Department)

File 64-93-4, Resolution No. 213-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

[Grant - State Funds]

Resolution authorizing, retroactively, the Public Utilities Commission to apply for, accept and expend \$96,000 of State Transit Assistance (STA) Paratransit Capital funds to acquire at least four ramped vehicles, excluding indirect costs. (Public Utilities Commission)

File 94-93-1, Resolution No. 214-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[State Funds]

Resolution authorizing the District Attorney to apply for, accept and expend funds in the amount of \$362,406 which includes indirect cost of \$18,120.30 (five percent) of total grant award made available through the California Department of Insurance for a project entitled, "The Investigation and Prosecution of Automobile Insurance Fraud" for the period of January 1, 1992 through June 30, 1993; providing for ratification of action previously taken. (Supervisor Alioto)

File 138-93-1, Resolution No. 216-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[State Funds]

Resolution authorizing the District Attorney to apply for, accept and expend start-up funds in the amount of \$188,188.76 which includes indirect cost of \$9,409.44 (five percent) of the total grant award made available through the California Department of Insurance for a project entitled, "The Investigation and Prosecution of Workers Compensation Fraud" for the period of May 1, 1992 through June 30, 1993; providing for ratification of action previously taken. (Supervisor Alioto)

File 138-93-2, Resolution No. 217-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

[Grant - Federal Funds]

Resolution authorizing the Department of Public Health, Homeless Program, to accept and expend as sub-grantee an augmentation to a grant of \$598,867, from the San Francisco Community Clinic Consortium of Federal Public Health Services funds for primary health care and substance abuse services including a required match of thirty-three percent of the total project or \$299,434; waiving indirect costs, and providing for ratification of action previously taken. (Department of Public Health)

File 146-93-11, Resolution No. 218-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing the City Librarian to apply for funds not to exceed \$28,455 available through the United States Department of Education for a Project Read Student Support Service Program, which includes indirect costs in the amount of \$1,355 or five percent of the total grant. (Public Library)

File 147-93-3, Resolution No. 223-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Grant - Federal Funds]

Resolution authorizing retroactively the Director of Public Works to apply for, accept and expend federal funds in the amount of \$147,200 for the planting of trees using small local businesses as contractors; waiving indirect costs; placing \$147,200 on reserve. (Department of Public Works)

File 148-93-2, Resolution No. 227-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Monday, March 22, 1993

[Lawsuit]

Resolution authorizing Tax Collector attorney to institute legal proceedings for the recovery of value of services in the amount of \$17,020.65 rendered at hospital facilities operated by the San Francisco Department of Public Health. (Tax Collector)

File 166-93-2, Resolution No. 228-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Muni Metro Turnaround Facility]

Resolution approving Amendment No. 8 to professional services agreement with Bechtel Corporation for construction management and engineering support services in an amount not to exceed \$20,584,970 through May 1, 1996. (Public Utilities Commission)

File 172-93-10, Resolution No. 230-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13451, dated January 21, 1993, approving Conditional Use Application No. 90.378C, authorizing the conversion of a sixty-two unit residential hotel to a sixty-two unit tourist hotel under Section 722.55 and for a commercial use greater than 2,500 square feet under Section 722.11 in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District of property located at 2237 Mason Street, (San Remo).

File 37-93-1

(Appeal filed February 22, 1993.)

(Final Negative Declaration adopted as amended November 25, 1991.)

Monday, March 22, 1993

The Clerk announced that the Board is in receipt of a communication from the representative of the property owners, who are also the appellants, requesting a continuance to a meeting in which the entire Board is present.

There being no objection, Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

From the Clerk

Consideration Continued

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property located at 2237 Mason Street.

File 37-93-1.1

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-1.2

(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Monday, March 22, 1993

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street.

File 37-93-1.3

(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 90.378C of property located at 2237 Mason Street, for action by the Board at its next meeting.

File 37-93-1.4

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to March 29, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]

Hearing of all persons interested in or objecting to the findings

Monday, March 22, 1993

that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract.

File 172-93-11

The President inquired if there was anyone present who wished to address the Board on this matter.

There being no response, the President declared the Public Hearing closed.

From Department of Social Services

Adopted

[In-Home Supportive Services Contract]
Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract.

File 172-93-11, Resolution No. 231-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

COMMITTEE REPORTS

Adopted as amended

[Terminal Separator]
Resolution requesting Caltrans to undertake a study of alternative designs to the Terminal Separator structure replacement and the Transbay Terminal. (Supervisor Maher)

File 171-92-9, Resolution No. 229-93

Supervisor Kaufman Excused From Voting

On advise of the City Attorney, Supervisor Kaufman requested to be excused from voting because of possible conflict of interest.

Thereupon, Supervisor Maher, seconded by Supervisor Achtenberg, moved to excuse Supervisor Kaufman from voting because of conflict of interest.

Monday, March 22, 1993

Motion to excuse Supervisor Kaufman from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Supervisor Maher, seconded by Supervisor Shelley, moved to amend page four, line 11, by deleting the word, "replacement".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kennedy, Maher, Shelley - 7.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Conroy, Hsieh, Migden - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jerry Clark;
Mark Ed;
John Bardis;
Daniel Peaize;
Bud Wilson;
Cathy Perry;
Mary Dore;
Marie Harrison;
Louise Vaughn;
Jacob;
Ace Washington;
Joe O'Donoghue;
John Nulty;
Michael Nulty;
John Barby.

Monday, March 22, 1993

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamations]

Resolution commending San Francisco's Caregivers and urging the Mayor to proclaim May 3, 1993 Caregivers Week and May 6, 1993 as Caregivers Day in San Francisco. (Supervisors Bierman, Alioto)

File 4-93-6, Resolution No. 207-93

(March 15, 1993 - Introduced in Board for consideration on March 22, 1993.)

Adopted.

[City Planning Code]

Resolution extending to July 15, 1993 the time for the City Planning Commission to render its decision on an amendment to City Planning Code Section 719.25 initiated by the Board of Supervisors to allow for drive-up facilities as a conditional use in the Haight Street Neighborhood Commercial District. (Supervisor Hsieh)

File 115-93-2.1, Resolution No. 215-93

(March 15, 1993 - Introduced in Board for consideration on March 22, 1993.)

Adopted.

[Senior Services Plan Task Force]

Resolution amending Resolution No. 214-92, which created a Senior Services Plan Task Force of 18 members to prepare a written strategic plan regarding the projected needs for seniors for the period 1994-1999, by adding two additional members to the task force, one to be nominated by Supervisor Bierman, and the other to be nominated by Supervisor Kaufman, and further providing that the membership of the task force shall automatically expand by one member each time a new supervisor is inaugurated, and each new supervisor shall be entitled to nominate a new member to the task force. (Supervisor Bierman)

File 174-93-4, Resolution No. 232-93

(March 17, 1993 - Introduced in Board for consideration on March 22, 1993.)

Monday, March 22, 1993

Adopted.

[Residential Condominium Conversion Project]

Motion approving final map of 741-747B Filbert Street, a condominium project, being a resubdivision of Lot 28, in Assessor's Block 101; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-4

(March 15, 1993 - Introduced in Board for consideration on March 22, 1993.)

Adopted.

[Live/Work Commercial Condominium Project]

Motion approving final map of 65 Norfolk Street, a condominium project, being a resubdivision of Lot 49, in Assessor's Block 3521; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-5

(March 15, 1993 - Introduced in Board for consideration on March 22, 1993.)

Adopted.

[New Condominium Project]

Motion approving final map of 379 Church Street, a condominium project, being a resubdivision of Lot 36, in Assessor's Block 3557; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-6

(March 15, 1993 - Introduced in Board for consideration on March 22, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

Monday, March 22, 1993

Severed from Immediate Adoption Calendar

Referred to Committee

[Elder Abuse Awareness Month]

Resolution establishing the month of May in each year as "Elder Abuse Awareness Month" and urging the Mayor to encourage all departments of the City to participate annually in activities to advise employees and San Franciscans of the need to prevent elder abuse and to respond appropriately when instances of elder abuse occur.

File 4-93-7

Supervisor Kennedy presented for immediate adoption.

At the request of Supervisor Maher, referred to Economic Vitality and Social Policy Committee.

[Federal Funding for Local Public Service Jobs]

Resolution endorsing a federal jobs program which would appropriate new federal funds to create new public service jobs and would guarantee every adult the opportunity to work at a living wage.

File 13-93-10

Supervisor Kennedy presented for immediate adoption.

At the request of Supervisor Maher, referred to Economic Vitality and Social Policy Committee.

The Board resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-12, Resolution No. 205-93

Monday, March 22, 1993

(Willie B. Kennedy, member, Board of Supervisors, April 2 - 8 and May 13 - 16; Dale Carlson, member, Library Commission, March 15 - 18; Michael E. Hardeman, member, Public Utilities Commission, March 12 - 14; Jack Immendorf, Vice President, Recreation and Park Commission, March 13 - 27; Fred E. Jordan, Jr., Chief Probation Officer, April 23 - 27, 28 - 29 and April 30 - May 2; Bill Lee, member, Commission on the Aging, April 11 - 18; Toby Levine, member, City Planning Commission, March 19 - 23; Keith I. Marton, M.D., member, Health Commission, March 27 - April 4; John E. Newlin, Executive Director, Parking and Traffic, March 19 - 23; Thomas T. Ng, member, Fire Commission, March 17 - 27; Manuel A. Rosales, member, Parking and Traffic Commission, March 11 - 12; Douglas F. Wong, member, Port Commission, March 18 - 24, 1993.)

Adopted.

[Indemnification]

Resolution authorizing the Director of Public Health to enter into an agreement indemnifying the San Francisco AIDS Foundation HIV Prevention Project and its subcontractor with respect to the provision of needle exchange services. (Supervisor Alioto)

File 172-93-15, Resolution No. 190-93

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

[Street Closing]

Resolution authorizing temporary closing of portion of Steiner Street, between Pacific Avenue and Broadway, Tuesday, March 23, 1993 through Sunday, April 4, 1993, from 7:00 a.m. to 2:00 a.m. (daily only intermittently as needed); and Bannan Alley, between Union and Green Streets, Wednesday, April 7, 1993, from 3:00 p.m. to Friday, April 9, 1993, 7:00 a.m. (daily only intermittently as needed).

File 42-93-13, Resolution No. 206-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Maher, Shelley - 7.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Migden - 4.

Monday, March 22, 1993

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Reciprocal Benefits]

Ordinance amending Administrative Code by adding Section 16.55-7, regarding internal reciprocity of pension benefits within the Retirement System. (Supervisor Achtenberg presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-10

[Parking Meters]

Ordinance amending Traffic Code by amending Section 203, relating to the denomination of coins and length of parking time allowed at parking meters. (Supervisor Shelley presented.) Referred to Housing and Land Use Committee.

File 124-93-3

Referred to Board

[Commend]

Resolution commending the Barristers Club of San Francisco for their offer to provide pro-bono assistance to the San Francisco Board of Supervisors. (Supervisor Shelley presented.) Referred to Board March 29, 1993 For Adoption Without Committee Reference Calendar.

File 6-93-11

[Sublease, property]

Resolution authorizing the Mayor, acting through the Mayor's Office of Housing, to enter into exclusive negotiations for the sublease of the Polytechnic High School Gymnasiums (The "Property") to the Inner Sunset Haight Ashbury Polytechnic Coalition (ISHA-POLY) for development as community centers. (Supervisor Bierman presented.) Referred to Government Efficiency and Labor Committee.

File 64-93-6

[Survey Area]

Resolution designating and describing a survey area within the City and County of San Francisco pursuant to the California Community Redevelopment Law (Hunters Point Naval Shipyard). (Supervisor Kennedy presented.) Referred to Select Committee on Hunters Point Naval Shipyard and Presidio Army Base Closure Committee with request it be considered at the March 25, 1993 meeting.

File 71-93-1

Monday, March 22, 1993

[Ballot Measure]

Charter amendment (First Draft) amending Section 6.415 relating to the establishment of the Children's Fund Advisory Committee. (Supervisor Shelley presented.) Referred to Rules Committee.

File 225-93-1

Requests for Hearings:

File 97-93-16, By Supervisor Kennedy: To consider staffing of the whistleblower program and whether this unit should be an independent department and made directly accountable to the Mayor and the Board of Supervisors. Referred to Government Efficiency and Labor Committee.

File 123-93-1, By Supervisor Alioto: To consider allowing restaurants to place tables and chairs on sidewalks in areas that do not obstruct pedestrian traffic or create other hazards. Referred to Housing and Land Use Committee.

File 244-93-2, By Supervisor Shelley: To consider the Navy's plan to close the Treasure Island Naval Shipyard and the future re-use of the facility. Referred to Select Committee on Hunters Point Naval Shipyard and Presidio Army Base Closure Committee.

Motions:

Referred to Committee

File 56-93-3 [Rule Change] Motion amending the Rules of Order of the Board of Supervisors in order to rename the Health and Public Safety Committee to the Health, Public Safety and Environment Committee (Rule 3.15). (Supervisor Shelley presented.) Referred to Rules Committee.

File 165-93-2 [Management Audit] Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Department of Parking and Traffic. (Supervisor Kennedy presented.) Referred to Government Efficiency and Labor Committee.

File 165-93-3 [Management Audit] Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the Paramedic Division, Department of Public Health. (Supervisor Kennedy presented.) Referred to Government Efficiency and Labor Committee.

File 165-93-4 [Management Audit] Motion directing the Budget Analyst to conduct an independent and comprehensive management audit of the San Francisco Water Department. (Supervisor Conroy presented.) Referred to Government Efficiency and Labor Committee.

Monday, March 22, 1993

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 45-93-15. [Settlement of Litigation] Authorizing settlement of litigation of Francesca Matarrazzo and Lucrezia Ceraudo against the City and County of San Francisco, by payment of \$15,000. (City Attorney) Government Efficiency and Labor

File 45-93-16. [Settlement of Litigation] Authorizing settlement of litigation of Julia Morgantini against the City and County of San Francisco, by payment of \$22,500. (City Attorney) Government Efficiency and Labor

File 97-93-12. [Revolving Fund for Reimbursable Travel Expenses] Amending Administrative Code by adding Section 10-169-9 thereto, establishing a revolving fund of \$60,000 for reimbursable police travel expenses. (Police Commission) Budget

File 97-93-13. [Use of City-Owned Vehicles] Amending Administrative Code by amending Section 4.11 thereof, to provide that employees of the San Francisco Water Department with emergency response duties may use City-owned vehicles for transportation to and from the employee's place of residence. (Public Utilities Commission) Government Efficiency and Labor

File 97-93-14. [Revolving Fund Department of Social Services] Amending Administrative Code by amending Section 10-157, to increase the amount held in the Department of Social Services Revolving Fund from \$20,000 to \$40,000. (Department of Social Services) Budget

File 97-93-15. [Department of Social Services Membership] Amending Administrative Code by amending Section 16.6-11 to provide for Department of Social Services Membership in the Child Welfare League of America. (Department of Social Services) Budget

Resolutions Referred to Committee

File 48-93-11. [Settlement of Claim] Approving the settlement of the unlitigated claim of Telecom Services Limited (WEST) Inc., by payment of \$200,000. (City Attorney) Government Efficiency and Labor

File 48-93-12. [Settlement of Claim] Approving the settlement of the unlitigated claim of Anis Karkar, by payment of \$14,000. (City Attorney) Government Efficiency and Labor

File 89-93-3. [State Disability Insurance] Authorizing enrollment of Classification 0555 Executive Officer, Superior Court in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 107-93-1. [Child Welfare Worker Automobiles] Finding that in order to ensure adequate visitation of children in foster care by

Monday, March 22, 1993

Child Welfare Social Workers, and to comply with State regulations regarding such visitation, the Department of Social Services of the City and County of San Francisco may transfer funds to purchase ten replacement and twenty additional automobiles. (Department of Social Services) Budget

File 146-93-8. [Grant - State Funds] Authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to apply for, accept and expend a grant of \$264,000 which includes indirect costs in the amount of \$5,280 based on two percent of the direct costs from the State Department of Mental Health, for AIDS/ARC/HIV Mental Health Residential and Adult Day Treatment Services; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 146-93-12. [Grant - State Funds] Authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of \$179,576, from State Department of Health Services, for the continuation of immunization services; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Hallinan, Alioto, Bierman, that City Attorney prepare ordinance to amend Police Code Section 1070.16 which would change the age limit from 21 to 18 by stating that no person under 18 years of age shall enter, be, or remain in or on any premises operated as a cabaret.

By Supervisor Hallinan, that City Attorney prepare ordinance to amend the San Francisco campaign laws to require public disclosure of all financial contributors of negative campaign mail attacking a certain candidate without supporting another candidate, regardless of the amount of the contribution.

By Supervisor Hallinan, that City Attorney prepare appropriate legislation creating a task force on prostitution to make recommendations on possible legislation to be presented to the full Board of Supervisors.

By Supervisor Conroy, that City Attorney draft ordinance similar to that in Los Angeles which would establish a vandalism and graffiti trust fund.

By Supervisor Kennedy, that letter be sent to all City departments involved in Minority, Women, Local Business Enterprise implementation to determine the following information: staffing levels for MBE/WBE implementation, total dollars spent for their contract services; is department availing the use of Human Rights Commission staff; if not, why not; explanation on whether current staffing is adequate.

Monday, March 22, 1993

By Supervisor Kennedy, that letter be sent to the Department of Justice requesting investigation, on behalf of tenants residing in subsidized and public housing in the City and County of San Francisco, to determine whether their civil rights are being denied in subsidized and public housing.

By Supervisor Kennedy, that letter be sent to Mr. Henry G. Cisneros, Housing and Urban Development, requesting investigation, on behalf of tenants residing in subsidized and public housing in the City and County of San Francisco, to determine whether their civil rights are being denied in subsidized and public housing and investigation of the activities and the professional relationships between HUD officials, management agents and San Francisco Housing Authority officials involved with the Section 8 and the HOPE programs.

By Supervisor Kennedy, that City Attorney prepare ballot measure that would increase the gas tax by at least one cent but not more than five cents.

By Supervisor Kennedy, that City Attorney prepare ordinance that would increase the preferential parking tax to \$25.00 per year, an increase of \$4.00.

By Supervisor Kennedy, that City Attorney prepare resolution memorializing the State Legislature to increase all Bay Area bridge tolls by \$1.00 (San Mateo, San Rafael, Bay Bridge).

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Saturina Culaba (Supervisor Alioto)
Juanita Culaba (Supervisor Alioto)
William Friends (Supervisor Kennedy)
Lois Davis (Supervisor Kennedy)
Almetta Johns (Supervisor Kennedy)
Harry De Moro (Supervisor Maher)

File 2-93-12

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:23 p.m. adjourned.

John L. Taylor, Clerk

Monday, March 22, 1993

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 7, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Starbucks -

c.2

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Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, March 29, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Hallinan, Maher - 4.

Quorum present.

Supervisor Achtenberg excused. (See infra.)

Supervisor Conroy was noted present at 2:14 p.m.

Supervisor Hallinan was noted present at 2:13 p.m.

Supervisor Maher was noted present at 2:25 p.m.

Supervisor Achtenberg Excused

The Clerk announced that Supervisor Achtenberg requested to be excused from attending today's meeting.

Supervisor Bierman, seconded by Supervisor Alioto, moved to excuse Supervisor Achtenberg from attendance today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Maher - 3.

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Appointment of President Pro Tempore

At the request of the President, Supervisor Migden assumed the Chair so the President could participate in the debate from the floor.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Hallinan requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Budget Committee

Finally Passed

[Stadium Operator Admission Tax]
Ordinance amending Part III, Municipal Code, providing an exemption from the payment of the stadium operator admission tax, by extending for two years, through December 31, 1994, the exemption from the payment of admission taxes on tickets sold at \$25.01 or less.
(Supervisor Alioto)

File 127-92-2.1, Ordinance No. 92-93

(Amends Section 807.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to rerefer to Budget Committee.

Motion to rerefer to Committee refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan - 2.

Noes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisor Achtenberg - 1.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Achtenberg - 1.

The President reassumed the Chair.

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Supervisor Bierman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Prohibition Against Restriction on Number of Occupants]
Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies. (Supervisor Achtenberg)

File 179-93-1, Ordinance No.

(Amends Sections 503, 204.)

At the request of Supervisor Achtenberg, Supervisor Bierman, seconded by Supervisor Shelley, moved to continue consideration to April 5, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Service Contract]
Ordinance approving the "Agreement for Operator-Assisted Long Distance Service from Public Pay Telephone" between AT&T and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-93-4, Ordinance No. 93-93

Finally passed.

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[Settlement of Litigation]

Ordinance authorizing settlement of litigation of William Vincent Block against the City and County, by payment of \$17,114.59. (City Attorney)

File 45-93-10, Ordinance No. 88-93

(Superior Court No. 939-840.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Lauri Baptie against the City and County, by payment of \$500,000. (City Attorney)

File 45-93-11, Ordinance No. 89-93

(Superior Court No. 937-313.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Toni Graeven, et al., v. Ford Motor Co., Inc., et al., upon receipt of \$1,000 as well as compromise and release and release of lien. (City Attorney)

File 46-93-4, Ordinance No. 90-93

(Superior Court No. 942258.)

Finally passed.

[Settlement of Lawsuit]

Ordinance authorizing settlement of Percy George v. Joseph A. Maguire, Jr., et al., upon receipt of the compromise and release and release of lien. (City Attorney)

File 46-93-5, Ordinance No. 91-93

(Superior Court No. 932342.)

Finally passed.

[Approval of Lease of Property]

Ordinance approving lease with Crowley Marine Services Inc. for occupancy of Pier 54 controlled by the San Francisco Port Commission. (Port)

File 65-93-2, Ordinance No. 86-93

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(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

From Budget Committee

Finally Passed

[Repeal - Giants Candlestick Lease Amendment Ordinance]
Ordinance repealing Ordinance 365-92, the Giants Candlestick Park lease amendment ordinance which approved a lease amendment entered into by the Recreation and Park Commission and the San Francisco Giants, which reduces the City's revenue from the agreement by approximately \$925,000 per year (amount will vary with attendance) through the year 1997, and assigns the right to further revenues in the amount of approximately \$440,000 per year from the agreement to furnish scoreboard to the Giants during the term of the lease, by which ordinance the City further assumed the obligations for utilities and maintenance of the playing field at a cost of approximately \$250,000 per season, added a provision requiring the San Francisco Giants to provide complimentary tickets, and specified the effective date of the ordinance.

File 65-92-15.1, Ordinance No. 87-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Employee Health Coverage]
Ordinance amending Administrative Code, approving Health Service

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System plans and rates of contribution as adopted by the Health Service Board. (Health Service System)

File 97-93-11, Ordinance No.

(Amends Section 16.157.)

(Pursuant to Charter Section 8.423, this measure requires 9 votes for passage.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

Recommendation of Rules Committee

Adopted

[Voting Order]

Motion amending the Rules of Order to provide Supervisors shall vote in a rotating manner, with the first Supervisor to vote being changed at each regular meeting, by adding Rule 2.27. (Supervisor Alioto)

File 56-93-2

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Noes: Supervisor Maher - 1.

Absent: Supervisors Achtenberg, Conroy - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$50,000 for professional service, Commission on the Status of Women for fiscal year 1992-93; subject of previous budgetary denial. (Supervisor Migden)

File 101-92-46, Ordinance No.

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Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

[Government Funding]

Ordinance appropriating \$4,446,743, Controller-ISD, for fiscal year 1992-93 for program project budget (Data Center Relocation and Consolidation Project). (Controller)

File 101-92-47, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Lease of Real Property]

Resolution authorizing a new lease of real property at One Market Plaza for the Controller's Informational Services Division's Data Center; companion measure to File 101-92-47. (Real Estate Department)

File 64-93-5, Resolution No. 246-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$132,491 for other contractual services, Department of Social Services for fiscal year 1992-93; providing for ratification of action previously taken. (Supervisor Migden)

File 101-92-53, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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[Government Funding]

Ordinance appropriating \$179,264 for permanent salaries - miscellaneous, permanent salaries - nurses and related mandatory fringe benefits, Public Health for fiscal year 1992-93.
(Supervisors Migden, Alioto)

File 101-92-56, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for Second Reading As Amended

[Property, Sale of Surplus]

Ordinance authorizing and directing the sale of surplus city-owned property known as a portion of Water Department Parcel 55 located at Lake Merced Boulevard and John Muir Drive (Olympic Club); and adopting findings pursuant to City Planning Code Section 101.1.
(Supervisor Alioto)

File 96-93-1, Ordinance No.

Supervisor Bierman, seconded by Supervisor Maher, moved to amend page two, line 4, after "101.1." by inserting "The Board further declares that any sale shall be further conditioned upon a deed restriction which will prevent any and all structures from being built on the subject property."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hallinan - 1.

Absent: Supervisor Achtenberg - 1.

Adopted

[Federal Funding - Community Development]

Resolution approving the transfer of \$26,326 of Community Development Block Grant funds from the Community Housing

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Rehabilitation Program Pool to the Chief Administrative Officer for UMB (unreinforced masonry building) Program Development and approving addendum No. 1 to the 1993 Community Development Program. (Supervisor Shelley)

File 79-93-1, Resolution No. 247-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Mayor's Earthquake Emergency Relief Fund Expenditure]
Resolution approving expenditure of \$37,686 from the Mayor's Earthquake Relief Fund for the purpose of funding position of 9764 Assistant to the Chief Administrative Officer V for the Unreinforced Masonry Building Bond Program. (Chief Administrative Officer)

File 270-93-2, Resolution No. 251-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Economic Vitality and Social Policy Committee

Adopted

[Enterprise Zone]
Resolution approving the adding of 895 acres, principally in the vicinity of the Central Waterfront, to the City and County of San Francisco Enterprise Zone. (Supervisor Bierman)

File 196-93-1, Resolution No. 250-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Health and Public Safety Committee

Passed for Second Reading

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[Mental Health Board]

Ordinance amending Administrative Code, relating to the establishment of the Mental Health Board. (Supervisor Alioto)

File 97-93-8, Ordinance No.

(Repeals Sections 15.3, 15.4, 15.10, 15.10-1, 15.10-2, 15.10-3, 15.10-4, 15.10-5; adds new Sections 15.3, 15.4 and 15.4-1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Household Hazardous Waste Element]

Resolution adopting the draft Household Hazardous Waste Element. (Chief Administrative Officer)

File 57-93-1, Resolution No. 244-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Source Reduction and Recycling Element]

Resolution adopting draft Source Reduction and Recycling Element. (Chief Administrative Officer)

File 57-93-2, Resolution No. 245-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Housing and Land Use Committee

Adopted

[F-Line]

Resolution urging the Mayor to urge the Public Utilities Commission to make construction of the F-Embarcadero Streetcar Line a high

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priority in its capital program. (Supervisors Shelley, Alioto)

File 7-93-5, Resolution No. 243-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kaufman - 2.

[Street Artist]

Resolution redesignating for six months two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission. (Supervisor Hallinan)

File 169-93-1, Resolution No. 248-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kaufman - 2.

[Disaster Council]

Resolution urging the Mayor to urge the Director of Emergency Services to adopt the findings and recommendations of the Neighborhood Preparedness Advisory Committee Report as part of the official disaster preparedness plan. (Supervisors Shelley, Achtenberg, Alioto, Maher, Migden)

File 270-92-4.1, Resolution No. 252-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13451, dated January 21, 1993, approving Conditional Use Application No. 90.378C, authorizing the conversion of a sixty-two unit residential hotel to a sixty-two unit tourist

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hotel under Section 722.55 and for a commercial use greater than 2,500 square feet under Section 722.11 in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District of property located at 2237 Mason Street, (San Remo).

File 37-93-1

(Appeal filed February 22, 1993.)

(Final Negative Declaration adopted as amended November 25, 1991.)

Supervisor Kaufman, seconded by Supervisor Conroy, moved to continue consideration to April 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

From the Clerk

Consideration Continued

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property located at 2237 Mason Street.

File 37-93-1.1

Supervisor Kaufman, seconded by Supervisor Conroy, moved to continue consideration to April 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-1.2

(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

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Supervisor Kaufman, seconded by Supervisor Conroy, moved to continue consideration to April 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street.

File 37-93-1.3

(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

Supervisor Kaufman, seconded by Supervisor Conroy, moved to continue consideration to April 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 90.378C of property located at 2237 Mason Street, for action by the Board at its next meeting.

File 37-93-1.4

Supervisor Kaufman, seconded by Supervisor Conroy, moved to continue consideration to April 19, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

SPECIAL ORDER - 3:00 P.M.

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Hearing Held

[Parcel Map Appeal]

Hearing of persons interested in or objecting to the decision of the Director of Public Works by its letter dated February 19, 1993, approving Parcel Map of Lot 34 in Assessor's Block 85 for a proposed resubdivision of one lot into two lots at 32-34 Napier Lane and 221 Greenwich Street, between Montgomery and Sansome Streets; in an RH-3 (House, Three-Family) District and the Telegraph Hill Historic District.

File 59-93-1

(Appeal filed March 1, 1993.)

The privilege of the floor was granted to the following:

Jordan Luttrell;
David Wise;
Dick Dole;
Rhona Parks;
Sarah;
Tina.

A rebuttal period was allowed.

From the Clerk

Consideration Continued

(Only one of the two following motions should be adopted.)

[Subdivision]

Motion approving decision of the Director of Public Works approving Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street.

File 59-93-1.1

Supervisor Maher, seconded by Supervisor Conroy, moved to continue consideration to April 5, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Subdivision]

Motion disapproving decision of the Director of Public Works

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approving Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street.

File 59-93-1.2

Supervisor Maher, seconded by Supervisor Conroy, moved to continue consideration to April 5, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Subdivision]

Motion directing the Clerk of the Board to prepare findings relating to Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street, for consideration by the Board at its next meeting.

File 59-93-1.3

Supervisor Maher, seconded by Supervisor Conroy, moved to continue consideration to April 5, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jerry;
John Nulty;
Katherine Perry;
George W. Atita;
Mari Harrison;
Louise Vaughn;
Margaret Verges;
Ace Washington.
Michael Nulty;
Bob Comstock;
Rodney Telmadge;
Eugene Gordan, Jr.

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FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Commendation Barristers Club]

Resolution commending the Barristers Club of San Francisco for its offer to provide pro-bono assistance to the Board of Supervisors. (Supervisor Shelley)

File 6-93-11, Resolution No. 242-93

(March 22, 1993 - Introduced in Board for consideration on March 29, 1993.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

EMERGENCY CALENDAR

Adopted

[Needle Exchange Program]

Motion concurring in the determination of the Mayor for continued need for the declaration of emergency in connection with the needle exchange program. (Mayor)

File 30-93-5.1

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

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IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-13, Resolution No. 253-93

(Roberta Achtenberg, member, Board of Supervisors, March 29 - April 5; Robert H. Feldman, Executive Director, Board of Permit Appeals, March 26 - 29; L. Andrew Jeanpierre, member, Airports Commission, March 27 - April 3; Greg Kunin, member, Film and Video Arts Commission, April 3 - 12; Manuel A. Rosales, member, Parking and Traffic Commission, February 16 - 28; Patrick A. Murphy, President, Airports Commission, March 12; Ray Telles, member, Film and Video Arts Commission, April 5 - 13, 1993.)

Adopted.

[Children's Services Plan for San Francisco Children's Fund]
Resolution amending Resolution which approved the Children's Services Plan for the San Francisco Children's Fund, by urging the Mayor to amend the plan to require applying agencies to provide educational and training support which will help them to appropriately serve all young people. (Supervisor Bierman)

File 185-92-5.2, Resolution No. 249-93

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]

Resolution designating National Community Development Week (April 5-11 in San Francisco and recognizing the Mayor's Office of Community Development as the City agency to carry out the Community Development Week activities.

File 4-93-8, Resolution No. 236-93

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Supervisor Kaufman presented for immediate adoption.

Adopted.

[Proclamation]

Resolution recognizing the work and dedication of the Chronic Fatigue Immune Dysfunction Syndrome Foundation on the occasion of their First Annual Courage Awards.

File 4-93-9, Resolution No. 237-93

Supervisor Kaufman presented for immediate adoption.

Adopted.

[Replicas of Hypodermic Syringes]

Resolution urging the President and Congress of the United States to pass legislation and pursue other necessary measures to ban the manufacture, sale and import of replicas of hypodermic syringes in the United States of America.

File 13-93-11, Resolution No. 235-93

Supervisors Hsieh, Kaufman, Bierman, Conroy, Alioto, Kennedy, Maher presented for immediate adoption.

Adopted.

[Federal Legislation]

Resolution supporting Federal legislation to be introduced by Representative Nancy Pelosi, which seeks to advance primary targeted prevention programs to reduce the number of new HIV infections.

File 13-93-12, Resolution No. 238-93

Supervisors Shelley, Kaufman, Bierman, Hsieh, Hallinan, Alioto, Conroy presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of 18th Street, between Hartford and Noe Streets, Saturday, May 1, 1993, from 12 noon to 8:00 p.m. for Metropolitan Community Church Community Center opening; providing for Municipal Railway reimbursement and waiver of insurance.

File 42-93-14, Resolution No. 239-93

Supervisor Migden presented for immediate adoption.

Adopted.

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[Street Closing]

Resolution authorizing temporary closing of a portion of Steiner Street, between Pacific Avenue and Broadway, Monday, April 5, 1993, through Monday, April 12, 1992, from 7:00 a.m. to 2:00 a.m. (daily only intermittently as needed) for the purpose of filming

File 42-93-15, Resolution No. 240-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Street Closing]

Resolution authorizing temporary closing of a portion of Mendell Street, Newcomb Avenue, Oakdale Avenue, McKinnon Avenue and LaSalle Avenue from 6:00 a.m. to 9:00 p.m. on Saturday, April 17, 1993, for an Earth Day Celebration.

File 42-93-16, Resolution No. 241-93

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Alioto, Maher - 3.

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Candlestick Park Concessionaire]

Resolution authorizing the General Manager of the Recreation and Park Department to execute an agreement releasing Stevens California Enterprises, Inc. from future obligations to provide concession services at Candlestick Park. (Supervisor Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 62-93-1

Referred to Board

[Proclamation]

Resolution declaring May 2 - 8, 1993 as the 21st Annual Clean Air Week. (Supervisor Alioto presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-10

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[State Budget]

Resolution urging the Governor and State Legislature to protect the revenues of the cities and counties, fully fund mandated programs and declaring the City's intention to participate in a rally on May 19, 1993 in the State Capital advocating for the revenue needs of the cities and counties. (Supervisor Migden presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-13

[Property Taxes - State Legislation]

Resolution urging the Mayor to direct the State Legislative Representative to prepare a bill for introduction to the State Legislature requiring that all transfers in ownership of real property are reported to the State and to county assessors. (Supervisor Migden presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 12-93-14

[Budget, 1993-94]

Resolution urging the Mayor and Assessor to include in the 1993-94 fiscal year budget of the Assessor's Office sufficient funding to enhance computer capabilities and staffing needed to identify unreported transfers of real property resulting in lost revenue. (Supervisor Migden presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 100-93-4

Referred to Committee

[Water Rates - Finding]

Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of rescission of the water rate schedule W-42, water use in excess of allotment, charged by the San Francisco Water Department. (Supervisor Kaufman presented.) Referred to Budget Committee with direction to report back to the Board on April 19, 1993.

File 142-93-1

[Water Rates]

Resolution approving the rescission of water rate schedule W-42 charged by the San Francisco Water Department for water use in excess of allotment. (Supervisor Kaufman presented.) Referred to Budget Committee with direction to report back to the Board on April 19, 1993.

File 142-93-1.1

Monday, March 29, 1993

[Water Rates]

Resolution disapproving the rescission of water rate schedule W-42 charged by the San Francisco Water Department for water use in excess of allotment. (Supervisor Kaufman presented.) Referred to Budget Committee with direction to report back to the Board on April 19, 1993.

File 142-93-1.2

Referred to Board

[Indemnification]

Resolution authorizing the Director of Public Health to amend an indemnification agreement with the San Francisco AIDS Foundation HIV Prevention Project with respect to the provision of needle exchange services. (Supervisor Alioto presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 172-93-15.1

[Fisher Scientific Products]

Resolution urging City agencies that buy medical and laboratory supplies to seek reliable, quality, alternative sources to Fisher Scientific products in accordance with the law. (Supervisor Shelley presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 176-93-3

Referred to Committee

[Civil Rights Laws - Human Rights Ordinance]

Resolution requesting the City Attorney to intervene as an amicus curiae in the case of Delaney vs Superior Fast Freight and memorializing the California Legislature to permit local governments to adopt civil rights laws. (Supervisors Kaufman, Maher, Alioto presented.) Referred to Economic Vitality and Social Policy Committee.

File 194-93-1

[Grant - State Funds]

Resolution declaring support for the application of the Friends of Islais Creek to the State of California for Urban Stream Restoration Grant Funds to be used for planning and implementing a demonstration restoration project in and near Islais Creek. (Supervisor Bierman presented.) Referred to Government Efficiency and Labor Committee.

File 227-93-1

Monday, March 29, 1993

Referred to Board

[Southeast Community Center]

Resolution urging the San Francisco Community College Board to continue using the Southeast Community Center as a primary campus. (Supervisor Alioto presented.) Referred to Board April 5, 1993 For Adoption Without Committee Reference Calendar.

File 274-93-1

Requests for Hearings:

File 100-92-12.1, By Supervisor Migden: To consider report by Mayor and Controller updating the 1992-1993 fiscal year budget status, including the projected shortfall of revenue from property taxes and business taxes. Referred to Budget Committee with request it be considered at the March 31, 1993 meeting.

File 7-93-7, By Supervisor Conroy: To consider the use of "contravision", vinyl wrapping on Muni buses and the operation of advertising contracts entered into by the Public Utilities Commission in regard to the Municipal Railway. Referred to Housing and Land Use Committee.

File 12-93-15, By Supervisor Maher: To consider requiring the City to comply with Senate Bill 1423 and report the names of new employees to the New Employee Registry in California. Referred to Government Efficiency and Labor Committee.

File 115-93-3, By Supervisor Alioto: To consider amending the Building and City Planning Codes to create a new category of building use called Low-density Commercial that applies residential use building standards to low-density commercial use; the category would apply to professional uses such as psychotherapists, psychiatrists, architects and lawyers and would only apply to existing legal commercial spaces and commercial spaces that could become legal under the provisions of Planning Code Section 179; would apply only in neighborhood commercial use districts and no current residential space would be permitted to convert to commercial use. Referred to Economic Vitality and Social Policy Committee.

File 118-93-1.1, By Supervisor Maher: To consider urging manufacturers to examine the labeling and packaging of oil-based lubricants to insure adequate warning of deterioration when used with latex condoms. Referred to Health and Public Safety Committee.

File 121-93-2, By Supervisor Hsieh: To consider prohibiting the sale or possession of replicas of hypodermic syringes. Referred to Health and Public Safety Committee.

File 121-93-3, By Supervisors Alioto, Hallinan, Bierman, Kennedy: To consider amending Police Code to exempt poetry reading from the criteria requiring an entertainment permit. Referred to Health and Public Safety Committee.

Monday, March 29, 1993

File 228-93-1, By Supervisor Hsieh: To consider consolidating the City's travel services under one travel agency, following an open bid process. Referred to Government Efficiency and Labor Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-58. [Government Funding] Appropriating \$590,407, Sheriff Department, for permanent salaries, mandatory fringe benefits, materials and supplies, equipment purchase - communications, data processing, word processing equipment and services of other departments-Building Repair, for the creation of 30 positions. (Companion measure to Files 102-92-19). RO #92203 (Controller) Budget

File 102-92-16. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Municipal and Superior Courts, to provide a salary increase for court reporters effective September 1, 1992. (Civil Service Commission) Budget

File 102-92-19. [Public Employment] Amending Annual Salary Ordinance, 1992-93, Sheriff Department, reflecting the addition of thirty positions (Classifications 8304 Deputy Sheriff (29) and 8274 Police Cadet (1); companion measure to Files 101-92-58 and 45-93-12. (Civil Service Commission) Budget

File 45-93-17. [Settlement of Litigation] Authorizing settlement of litigation of Joshu Lucas against the City and County of San Francisco, by payment of \$20,000. (City Attorney) Government Efficiency and Labor

Resolutions Referred to Committee

File 25-93-1. [Contracting Out City Services] Concurring with the Controller's certification that security guard services can practically be performed at the Bureau of Engineering Offices at 1680 Mission Street by private contractor for a lower cost than if the services were performed by City and County employees. (Department of Works Public) Government Efficiency and Labor

File 38-93-3. [Acceptance of Gift] Substitute legislation entitled "Accepting equipment and services valued at \$16,986 for the San Francisco Public Library for the Blind and Print Handicapped, from Pacific Bell, the Bothin Foundation, and the George S. Ladd Chapter Number 27 of the Telephone Pioneers of America, with the intent to purchase a computer work station". (Public Library) Government Efficiency and Labor

File 93-93-3. [Memorandum of Understanding] Ratifying amendment to Memorandum of Understanding with the Union of American Physicians and Dentists (for Bargaining Unit 8-CC). (Office of Mayor Employee Relations Division) Government Efficiency and Labor

Monday, March 29, 1993

File 107-93-2. [Department of Social Services] Authorizing the Department of Social Services to amend its license to act as an adoption agency to reflect a change of address as required by the State Department of Social Services. (Department of Social Services) Government Efficiency and Labor

File 146-93-13. [Grant - State Funds] Authorizing the Department of Public Health, Community Substance Abuse Services to apply for a grant up to the amount of \$794,005, which includes indirect costs in the amount of \$85,957 based on fifteen percent of direct costs as allowed by the State of California, Office of Traffic Safety only, from the State of California, Office of Traffic Safety and Department of Alcohol and Drug Programs to provide education, information, and activities related to substance abuse and driving to youth in San Francisco's middle and high schools; providing for ratification of action previously taken. (Department of Public Health) Government Efficiency and Labor

File 192-93-4. [Grant - Federal Funds] Authorizing the Executive Director of the Department of Parking and Traffic to apply for, accept and expend up to \$1,224,850 in Federal funds for the improvement of Bayshore Boulevard at the northbound U.S. 101 off-ramp to Army Street, the widening of Army Street between U.S. 101 and Third Street, a Traffic Video Surveillance Demonstration at various downtown locations, and new traffic signals at the intersections of Alemany Boulevard/Mt. Vernon Avenue, Clay Street/Powell Street, West Portal Avenue/Vicente Street and at Divisadero Street/Page Street, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Government Efficiency and Labor

File 226-93-1. [School of Library and Information Studies] Recommending continuation of the School of Library and Information Studies at the University of California, Berkeley, and recruitment of a new dean. (Public Library) Economic Vitality and Social Policy

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hsieh, that City Attorney draft ordinance prohibiting the sale or possession of replicas of hypodermic syringes.

By Supervisor Shelley, that City Attorney prepare appropriate legislation which would establish an independent ethics commission which would draft legislation, have oversight over campaign reporting and auditing functions; manage the whistleblower program; develop and monitor conflict of interest rules for City elected officials and employees; develop and oversee guidelines for gifts, travel expenses and honoraria restrictions for elected officials and employees; establish lobbyists rules and training; education and training; give power to the City Attorney to prosecute misdemeanor offenses. The City Attorney is requested to review the current campaign contribution legislation to see where changes can be made and incorporated into this new ethics commission legislation.

Monday, March 29, 1993

By Supervisors Alioto, Hallinan, Bierman, that City Attorney prepare ordinance to amend the Police Code to exempt poetry reading from the criteria requiring an entertainment permit.

By Supervisor Conroy, that letter of inquiry be sent to Director of Public Health to determine the status and amount of the additional State reimbursement for which the Board approved a supplemental appropriation in the amount of \$12 million to the California Medical Assistance Commission Fund.

By Supervisor Conroy, that letter be sent to Director of Public Works inquiring why granite curbstones have been removed along 17th and Noe Streets, near Market, in apparent violation of Proposition M restrictions.

By Supervisor Maher, that letter be sent to Controller to determine which fees collected by the City annually earn less than \$25,000 or which collect no money at all; such as, outdoor seating fees and entertainment fees for poetry readings in coffee houses.

By Supervisor Migden, that letter be sent to Human Rights Commission requesting guidance as to whether the City Attorney should be requested to file an appeal in the case of Delaney vs Fast Freight which set aside local non-discrimination ordinances as pre-empted by the State.

By Supervisor Kaufman, that City Attorney prepare ordinance which would authorize payroll tax credit for all new jobs created throughout the City over a two year period.

By Supervisor Kaufman, that City Attorney prepare ordinance which would enhance the payroll tax credit now available to businesses within the San Francisco enterprise zone when they create new jobs and hire disadvantaged employees by doubling the length of time the credit will be available from five to ten years.

By Supervisor Kaufman, that letter be sent to Director, Department of Parking and Traffic to determine the feasibility of putting Stop signs at the corners of Broadway and Broderick and Battery and Vallejo Streets.

By Supervisor Alioto, that City Attorney prepare ordinance to amend the Building and City Planning Codes to create a new category of building use called Low-density Commercial that applies residential use building standards to low-density commercial use; the category would apply to professional uses such as psychotherapists, psychiatrists, architects and lawyers and would only apply to existing legal commercial spaces and commercial spaces that could become legal under the provisions of Planning Code Section 179; would apply only in neighborhood commercial use districts and no current residential space would be permitted to convert to commercial use.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Monday, March 29, 1993

Concetta M. Alioto (Supervisor Alioto)
Leo Rutlin, Sr. (Supervisor Kennedy)
Aileen Moore (Supervisors Kennedy, Migden)
G. L. Bedford (By the entire Board)
Richard Dillon (Supervisors Migden, Shelley)
Robert Katz (Supervisors Migden, Bierman)

File 2-93-13

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of
5:34 p.m. adjourned.

John L. Taylor, Clerk

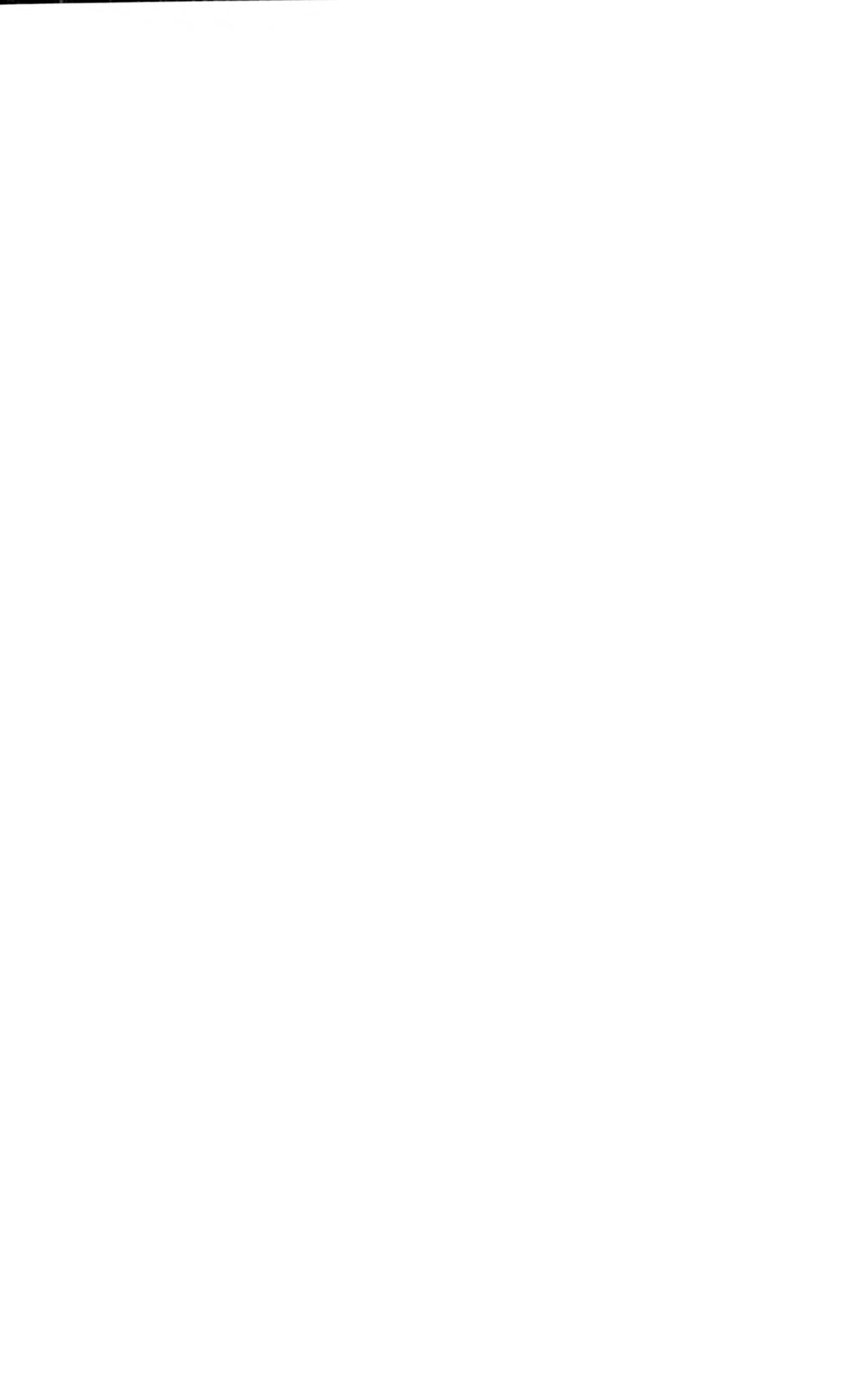
N.B. This Journal of Proceedings sets forth all actions taken by
the Board of Supervisors on the matters stated, but not
necessarily the chronological sequence in which the matters
were taken up.

Monday, March 29, 1993

Approved by the Board of Supervisors on September 13, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



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Monday, April 5, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 5, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Noted absent at first roll call:

Supervisors Achtenberg, Kennedy - 2.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$4,446,743, Controller-ISD, for fiscal year 1992-93 for program project budget (Data Center Relocation and Consolidation Project). (Controller)

File 101-92-47, Ordinance No. 95-93

Finally passed.

Monday, April 5, 1993

[Government Funding]

Ordinance appropriating \$132,491 for other contractual services, Department of Social Services for fiscal year 1992-93; providing for ratification of action previously taken. (Supervisor Migden)

File 101-92-53, Ordinance No. 96-93

Finally passed.

[Government Funding]

Ordinance appropriating \$179,264 for permanent salaries - miscellaneous, permanent salaries - nurses and related mandatory fringe benefits, Public Health for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-56, Ordinance No. 97-93

Finally passed.

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$750,000, Sheriff Department, for materials and supplies, fiscal year 1992-93. (Supervisor Migden)

File 101-92-54, Ordinance No.

Passed for second reading.

Recommendation of Health and Public Safety Committee

Finally Passed

[Mental Health Board]

Ordinance amending Administrative Code, relating to the establishment of the Mental Health Board. (Supervisor Alioto)

File 97-93-8, Ordinance No. 98-93

(Repeals Sections 15.3, 15.4, 15.10, 15.10-1, 15.10-2, 15.10-3, 15.10-4, 15.10-5;
Adds new Sections 15.3, 15.4 and 15.4-1.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Monday, April 5, 1993

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$50,000 for professional service, Commission on the Status of Women for fiscal year 1992-93; subject of previous budgetary denial. (Supervisors Migden, Conroy)

File 101-92-46, Ordinance No. 94-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Property, Sale of Surplus]

Ordinance authorizing and directing the sale of surplus city-owned property known as a portion of Water Department Parcel 55 located at Lake Merced Boulevard and John Muir Drive (Olympic Club) and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Alioto)

File 96-93-1, Ordinance No. 100-93

Supervisor Hallinan, seconded by Supervisor Bierman, moved to rerefer to Committee with direction to report back to the Board within three weeks.

Motion to rerefer refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman - 3.

Noes: Supervisors Alioto, Conroy, Hsieh, Maher, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Kennedy - 2.

The roll was then called on the pending ordinance and it was finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Maher, Migden, Shelley - 7.

Noes: Supervisors Bierman, Hallinan - 2.

Monday, April 5, 1993

Absent: Supervisors Achtenberg, Kennedy - 2.

[Employee Health Coverage]

Ordinance amending Administrative Code, approving Health Service System plans and rates of contribution as adopted by the Health Service Board. (Health Service System)

File 97-93-11, Ordinance No. 99-93

(Amends Section 16.157.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Prohibition Against Restriction on Number of Occupants]

Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies. (Supervisor Achtenberg)

File 179-93-1, Ordinance No.

(Amends Sections 503, 204.)

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to April 12, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

From the Clerk

Adopted

Monday, April 5, 1993

(Only one of the two following motions should be adopted.)

[Subdivision]

Motion approving decision of the Director of Public Works approving Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street.

File 59-93-1.1

Supervisor Maher, seconded by Supervisor Migden, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Tabled

[Subdivision]

Motion disapproving decision of the Director of Public Works approving Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street.

File 59-93-1.2

Supervisor Maher, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Adopted

[Subdivision]

Motion directing the Clerk of the Board to prepare findings relating to Parcel Map of proposed resubdivision of Lot 34 in Assessor's Block 85 into two lots of property located at 32-34 Napier Lane/221 Greenwich Street, for consideration by the Board at its next meeting.

File 59-93-1.3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Monday, April 5, 1993

Motion Adopted

Supervisor Maher, seconded by Supervisor Bierman, moved that the City Attorney be requested to review and report back to the Board of Supervisors on the question of filing for a descriptive easement in connection with 32-34 Napier Lane/221 Greenwich Street.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

(Supervisor Hsieh excused from voting in Committee.)

[Government Funding]

Ordinance appropriating \$373,000, Department of Parking and Traffic, for temporary salaries, overtime, mandatory fringe benefits, vehicle rental and materials and supplies, for fiscal year 1992-93.
(Supervisors Migden, Alioto)

File 101-92-48, Ordinance No.

Supervisor Hsieh Excused from Voting

On advice of the City Attorney, Supervisor Hsieh requested to be excused from voting because of a possible conflict of interest.

Thereupon, Supervisor Maher, seconded by Supervisor Bierman, moved to excuse Supervisor Hsieh from voting.

Motion to excuse Supervisor Hsieh from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

The roll was then called on the pending ordinance and it was passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Maher, Migden, Shelley - 8.

Monday, April 5, 1993

Excused: Supervisor Hsieh - 1.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$2,500,000, Municipal Railway, for claims and judgement, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-49, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$3,235,100, Police Department, for permanent salaries - miscellaneous, permanent salaries - uniform, premium pay - uniform, differential pay, overtime - uniform and mandatory fringe benefits and rescinding \$850,000 from other fringe benefits, for fiscal year 1992-93; subject of previous budgetary denial. (Supervisors Migden, Alioto)

File 101-92-50, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$255,000, Police Department, for permanent salaries - miscellaneous, premium pay - miscellaneous and related mandatory fringe benefits, for the creation of (10) ten positions, for fiscal year 1992-93; providing for ratification of action previously taken. (Supervisors Conroy, Alioto)

File 101-92-51, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Monday, April 5, 1993

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 250-92, 1992-93, Police Department, reflecting the addition of ten positions; companion measure to File 101-92-51. (Civil Service Commission)

File 102-92-14, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$27,901, Police Department, for permanent salaries - miscellaneous and related mandatory fringe benefits, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-52, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Government Funding]

Ordinance appropriating \$690,864, Sheriff Department for overtime fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-55, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

[Revolving Fund for Reimbursable Travel Expenses]

Ordinance amending Administrative Code, establishing a revolving fund of \$60,000 for reimbursable police travel expenses. (Supervisor Alioto)

File 97-93-12, Ordinance No.

(Adds Section 10-169-9.)

Passed for second reading by the following vote:

Monday, April 5, 1993

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Recommendation of Budget Committee and
Housing and Land use Committee

Adopted

[Redevelopment Survey Area]

Resolution designating and describing a Redevelopment Survey Area within the City and County of San Francisco pursuant to the California Community Redevelopment Law (10th and Market Streets, proposed new Federal office building site). (Supervisors Migden, Hsieh)

File 161-93-1, Resolution No. 260-93

(Fiscal Impact.)

(March 18, 1993 - Referred to Budget Committee from Housing and Land Use Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Recommendation of Budget Committee

Adopted

[Budget, 1992-93]

Resolution approving an amendment to the budget of the Redevelopment Agency for fiscal year 1992-93 to establish a category of expenditure in the amount of \$975,000 for the Federal Office Building Project. (Supervisor Hsieh)

File 161-92-5.2, Resolution No. 261-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Kennedy - 2.

Monday, April 5, 1993

Closed Session

Recess

At the request of President Alioto, the Board recessed at the hour of 3:38 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for City employees.

Reconvening of the Board

The Board, at the hour of 4:12 p.m., reconvened.

Calling the Roll

The following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Migden - 6.

Noted absent: Supervisors Achtenberg, Hsieh, Kennedy, Maher, Shelley - 5.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the City's employee relations representatives as provided in the Government Code.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Virginia Conway;
Ace Washington;
Joe Johnson;
Marie Harris;
Volunteer advocate
Louise Vaughn;
John;
Adrienne Haar;
Ethel Garlinton.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Severed from For Adoption Without Committee Reference Calendar

Monday, April 5, 1993

Supervisor Kaufman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Budget Committee

[State Budget]

Resolution urging the Governor and State Legislature to protect the revenues of the cities and counties, fully fund mandated programs and declaring the City's intention to participate in a rally on May 19, 1993 in the State Capital advocating for the revenue needs of the cities and counties. (Supervisor Migden)

File 12-93-13, Resolution No.

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

At the request of Supervisor Conroy, subject legislation was referred to Budget Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclamation]

Resolution declaring May 2 - 8, 1993 as the 21st Annual Clean Air Week. (Supervisor Alioto)

File 4-93-10, Resolution No. 257-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

Monday, April 5, 1993

[Property Taxes - State Legislation]

Resolution urging the Mayor to direct the State Legislative Representative to prepare a bill for introduction to the State Legislature requiring that all transfers in ownership of real property are reported to the state and to county assessors. (Supervisors Migden, Conroy)

File 12-93-14, Resolution No. 258-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

[Budget, 1993-94]

Resolution urging the Mayor and Assessor to include in the 1993-94 fiscal year budget of the Assessor's Office sufficient funding to enhance computer capabilities and staffing needed to identify unreported transfers of real property resulting in lost revenue. (Supervisors Migden, Conroy)

File 100-93-4, Resolution No. 259-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

[Indemnification]

Resolution authorizing the Director of Public Health to amend an indemnification agreement with the San Francisco AIDS Foundation HIV Prevention Project with respect to the provision of needle exchange services. (Supervisor Alioto)

File 172-93-15.1, Resolution No. 262-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

[Fisher Scientific Products]

Resolution urging city agencies that buy medical and laboratory supplies to seek reliable, quality, alternative sources to Fisher Scientific products in accordance with the law. (Supervisor Shelley)

File 176-93-3, Resolution No. 264-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

Monday, April 5, 1993

[Southeast Community Center]

Resolution urging the San Francisco Community College Board to continue using the Southeast Community Center as a primary campus. (Supervisor Alioto)

File 274-93-1, Resolution No. 263-93

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

[Condominium Project

Motion approving final map of 2130 Beach Street, a condominium project, being a resubdivision of Lot 11, in Assessor's Block 914; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-93-7

(March 29, 1993 - Introduced in Board for consideration on April 5, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-14, Resolution No. 254-93

Monday, April 5, 1993

(Raymond Baxter, Director of Health April 2; Patricia Chang, member, Commission on the Status of Women, April 21 - 27; Debra Chasnoff, member, Film and Video Arts Commission, March 27 - April 2; Kenneth E. Dowlin, City Librarian, May 13 - 16 and August 16 - September 5; James K. Ho, member, Airports Commission, March 28 - 29; Thomas E. Horn, President, War Memorial Board of Trustees, March 28 - April 4; George James, member, Film and Video Arts Commission, March 18 - April 3; L. Andrew Jeanpierre, member, Airports Commission, March 27 - April 3; H. Daniel McFarland, General Manager, Department of Electricity, May 23 - 29; Patrick Murphy, President, Airports Commission, March 30 - 31; Ming Chang-O'Brien, member, Port Commission, April 3 - 8; Louise Renne, City Attorney, April 1 - 5; Anthony Ribera, Chief of Police, March 28 - April 2; Paul Rosenstiel, member, Health Commission, April 19 - 20; Sue Sommer, member, Recreation and Park Commission, March 29 - April 3; L.A. Turpen, Director of Airports, April 2 - 6; Jim Yee, member, Film and Video Arts Commission, April 12 - 16, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Proclamation]

Resolution declaring April 5, 1993 as Public Health Nursing Day in San Francisco.

File 4-93-11, Resolution No. 255-93

Supervisor Shelley presented for immediate adoption.

Adopted.

[Proclamation]

Resolution declaring April 5 - 11, 1993 as Public Health Week.

File 4-93-13, Resolution No. 256-93

Supervisors Alioto, Kaufman presented for immediate adoption.

Adopted.

[Meeting Schedule]

Motion calling a special meeting of the Board of Supervisors for Monday, April 12, 1993, at 10:00 a.m. to consider matters which normally would be considered at the regular meeting of April 12, 1993 at 2:00 p.m. and cancelling the regular meeting of April 12.

File 54-93-1

Monday, April 5, 1993

Supervisor Alioto presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Shelley - 6.

Absent: Supervisors Achtenberg, Hsieh, Kennedy, Maher, Migden - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Building Code]

Ordinance amending Building Code by amending Section 203 to authorize the Abatement Appeals Board to hear protests and confirm delinquency reports for special assessment of costs under \$5,000 and to hear appeals of certain refund determinations of the Superintendent of the Bureau of Building Inspection. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor.

File 114-93-2

[Housing Code]

Ordinance amending Housing Code by amending Section 204 to establish citation authority for enforcement of the Housing Code. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor.

File 125-93-1

[Housing Code]

Ordinance amending Housing Code by amending Section 302 to authorize the Bureau of Building Inspection to inspect an apartment house or hotel less frequently than once a year if the apartment house or hotel has an established record of compliance with code requirements and to authorize a corresponding reduction in the amount of the annual license fee the amount of which is appealable to the Abatement Appeals Board. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor.

File 125-93-2

Monday, April 5, 1993

Referred to Board

[Proclamation]

Resolution recognizing June 15, 1993 as San Francisco Janitor Appreciation Day in San Francisco. (Supervisor Shelley presented.) Referred to Board April 12, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-12

[Proclamation]

Resolution urging the Mayor to declare Saturday, May 1 and Sunday, May 2, 1993, as Workers' Children's Fund Weekend as the City "Goes To Bat For Children". (Supervisor Hallinan presented.) Referred to Board April 12, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-14

Referred to Committee

[Commendation]

Resolution congratulating the Hotel and Restaurant Workers Union, Local 2 and the Parc 55 Hotel on its historic contract agreement and applauding the Union and Hotel on their new joint efforts to promote tourist business. (Supervisors Kaufman, Shelley, Bierman presented.) Referred to Government Efficiency and Labor Committee.

File 6-93-12

Called from Committee

[State Legislation]

Resolution supporting AB 260 (Brown) allowing a needle exchange program in San Francisco.

File 12-93-9

Called from Health and Public Safety Committee by Supervisor Alioto, with direction to schedule for Board meeting of April 12, 1993.

Referred to Board

[Zoning and Building Regulation Enforcement]

Resolution urging the Mayor and the Chief Administrative Officer to urge the city's Zoning and Building Enforcement Departments and officials not to take final or disruptive actions against persons in the Sacramento Street Corridor who may be in violation of the city's current zoning and building regulations until there has been an opportunity over the next few months to consider any proposed amendments to the city's zoning and building regulations that may be

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considered for review and possible approval. (Supervisor Alioto presented.) Referred to Board April 12, 1993 For Adoption Without Committee Reference Calendar.

File 115-93-3.1

Referred to Committee

[Code Enforcement Priorities]

Resolution affirming existing priorities of the Code Enforcement Task Force and urging their continued implementation by member agencies of the City Attorney's Code Enforcement Task Force. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.1

[Feasibility Study Funding]

Resolution urging the Mayor to urge the San Francisco Redevelopment Agency and the Department of Social Services and Mayor's Office of Housing and urging the Chief Administrative Officer to urge the Department of Public Works/Bureau of Building Inspection to explore and implement transfer of funds from these city and non-city agencies to the Code Enforcement Rehabilitation Fund or to another fund under the jurisdiction of the Department of Public Works/Bureau of Building Inspection for feasibility studies in connection with nuisances and restore unsafe privately owned low-income housing. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.2

[Hotel Rooms-Use by Department of Social Services]

Resolution urging the Mayor to urge the Health Commission to direct the Department of Public Health and to urge the Chief Administrative Officer to direct the Department of Public Works to notify the Department of Social Services within 24 hours if any hotel used for the placement of clients has been cited by the Department of Public Health or for which an order of abatement has been issued by the Department of Public Works. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.3

[Hotel Rooms-Payment]

Resolution urging the Mayor to urge the Social Services Commission to direct the Department of Social Services to withhold payment for hotel rooms that are in violation of health or building codes. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.4

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[Code Enforcement-Public Health]

Resolution urging his Honor, the Mayor, to urge the Social Services Commission to set aside \$90,000 to fund, by work order, a health inspector for code enforcement in the Department of Public Health. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.5

[Code Enforcement]

Resolution urging his Honor, the Mayor, to urge the Chief Administrative Officer to direct the Bureau of Building Inspectors to set aside \$90,000 to fund a work order health inspector in the Department of Public Health. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee.

File 200-93-2.6

[Lighting Assessment District]

Resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-1, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Sutro Heights District. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the April 15, 1993 meeting.

File 229-93-1

[Lighting Assessment District]

Resolution announcing the intent to undertake to form an Assessment District, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Sutro Heights District; describing the intended improvements; indicating the location of the proposed assessment district; and giving notice of the time and place for public hearing on the question of the formation of the proposed assessment district and on the levy of the proposed assessment. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the April 15, 1993 meeting.

File 229-93-2

[Lighting Assessment District]

Resolution announcing the formation of Assessment District No. 92-1, for the purposes of installing street lighting in the Sutro Heights District; confirming the diagram and assessments as described in the Engineer's Report; ordering the improvements; and levying the first

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annual assessment. (Supervisor Maher presented.) Referred to Housing and Land Use Committee with request it be considered at the April 15, 1993 meeting.

File 229-93-3

[Grant, Special Advocate Program]
Resolution acknowledging the award of a grant in the amount of \$10,000 by the California Judicial Council to the San Francisco Court Appointed Special Advocates. (Supervisor Shelley presented.) Referred to Government Efficiency and Labor Committee.

File 230-93-1

Called from Committee

[Ballot Measure]
Charter amendment (Third Draft) amending Section 3.100 and adding Section 3.104 relating to filling of vacancies in the office of mayor.

File 182-93-1

Called from Rules Committee by Supervisor Hallinan, with direction to schedule for Board meeting of April 12, 1993.

Referred to Committee

[Ballot Measure]
Draft Charter amendment amending Section 3.401 to authorize the City Attorney to criminally prosecute violations of state and local housing laws. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 231-93-1

[Ballot Measure]
Draft Charter amendment amending Section 3.401 to authorize the City Attorney to criminally prosecute violations of state and local housing laws. (Supervisor Kaufman presented.) Referred to Rules Committee.

File 233-93-1

[Ballot Measure]
Charter amendment (First Draft) amending Section 3.100 and adding Section 3.104 relating to the filling of vacancies in the office of the mayor. (Supervisor Alioto presented.) Referred to Rules Committee.

File 234-93-1

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Requests for Hearings:

File 32-93-1, By Supervisor Bierman: To consider cable tv operator's current rate schedule. Referred to Government Efficiency and Labor Committee.

File 78-93-2, By Supervisor Shelley: To consider availability and public notification regarding City's health care system and State retirement system benefits for domestic partners. Referred to Government Efficiency and Labor.

File 121-93-4, By Supervisor Maher: To consider fees that generate revenue less than \$25,000 including outdoor seating fees and entertainment fees for poetry reading in coffee houses. Referred to Budget Committee.

File 121-93-5, By Supervisors Kaufman, Bierman: To consider banning the sale of knives to minors. Referred to Health and Public Safety Committee.

File 189-93-2, By Supervisor Hallinan: To consider concerns regarding the legislative review process by the City Planning Commission in preparing the proposed Residential Conservation Controls legislation. Referred to Housing and Land Use Committee.

File 235-93-1, By Supervisor Shelley: To consider creating a task force to consider the issue of locating a federal job corps center in San Francisco and urging the Real Estate Department, City Planning Department and Redevelopment Agency to find suitable sites for such a facility. Referred to Select Committee on Hunters Point Naval Shipyard/Presidio Army Base Closures.

File 236-93-1, By Supervisor Conroy: To consider management of overtime by City departments, enforcement of maximum permissible overtime, limiting overtime to 16 percent and requiring a bi-annual report on overtime payments to the Board of Supervisors. Referred to Government Efficiency and Labor Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-59. [Government Funding] Appropriating \$2,440,000, Port Commission, for various capital improvement projects. RO #92178 (Controller) Budget

File 101-92-60. [Government Funding] Appropriating \$15,307,533, Fire Department, for various capital improvement projects. RO #92192 (Controller) Budget

File 101-92-61. [Government Funding] Appropriating \$71,327, Board of Supervisors, for professional services and services of other departments-miscellaneous departments; subject of previous budgetary denial. RO #92193. (Controller) Budget

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File 45-93-18. [Settlement of Litigation] Authorizing settlement of litigation of Lynn Baifield against the City and County of San Francisco, by payment of \$30,250. (City Attorney) Government Efficiency and Labor

File 45-93-19. [Settlement of Litigation] Authorizing settlement of litigation of Bertha Chapa against the City and County of San Francisco, by payment of \$10,000. (City Attorney) Government Efficiency and Labor

File 92-93-17. [Appointment of Road Commissioner] Appointing John E. Cribbs, Director of Public Works to serve as Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 23-88. (Chief Administrative Officer) Government Efficiency and Labor

File 97-93-18. [General Assistance Property and Grant Levels] Amending Administrative Code by amending Sections 20.56.10 and 20.57 (General Assistance Ordinance) relating to allowable personal property and to the computation of aid grants. (Department of Social Services) Budget

Resolutions Referred to Committee

File 30-93-6. [Demonstration County Alcohol and Drug Program Plan] Approving the San Francisco Demonstration County Alcohol and Drug Program Plan - Fiscal Year 1992-93 as prepared and submitted by the Department of Public Health, Division of Mental Health and Substance Abuse Services, Community Substance Abuse Services for submission to the State of California, Department of Alcohol and Drug Programs and authorizing and directing the President of the Board to certify said plan. (Department of Public Health) Government Efficiency and Labor

File 38-93-4. [Acceptance of Gifts] Accepting two gifts valued at \$289,200.14, for use by the Recreation and Park Department (\$281,700.14 from the Richard and Rhoda Goldman Fund, through Friends of Recreation and Parks, for the renovation of the Julius Kahn Clubhouse and \$7,500 from Friends of Recreation and Parks, for a handicap access ramp at the Julius Kahn Clubhouse). Recreation and Park Department Government Efficiency and Labor

File 89-93-4. [State Disability Insurance] Authorizing enrollment of Classification AA38 Property Transfer Assistant in the State Disability Insurance Program. (Office of the Mayor's Employee Relations Division) Government Efficiency and Labor

File 146-93-14. [Grant - State Funds] Authorizing the Department of Public Health, AIDS Office, to apply for a continuing grant allocation of \$790,000, which includes indirect costs based on ten percent of personnel costs, from the California Department of Health Services to continue funding the AIDS Education and Prevention Program component of the Master Grant Agreement. (Department of Public Health) Government Efficiency and Labor

File 146-93-15. [Grant - State Funds] Authorizing the Department of

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Public Health, Division of Mental Health and Substance Abuse Services, to accept and expend a grant up to the amount of \$408,501 which excludes indirect costs from the State of California, Department of Alcohol and Drug Programs to provide substance abuse/HIV services to residents of San Francisco; waiving indirect costs. (Department of Public Health) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Shelley, that letters of inquiry be sent to President, Juvenile Probation Commission and Chief Probation Officer to determine the status of the Juvenile Probation Commission and the Juvenile Probation Department.

By Supervisor Shelley, that City Attorney prepare legislation to create cleanliness standards for sidewalks.

By Supervisor Shelley, that City Attorney prepare legislation to increase the fines for illegal dumping.

By Supervisor Shelley, that City Attorney prepare ordinance which require that large garbage dumpsters be locked.

By Supervisor Conroy, that letters of inquiry be sent to General Manager, Recreation and Park Department, and Chief of Police to determine what can be done to discourage sexual acts committed throughout Golden Gate Park.

By Supervisor Conroy, that letters be sent to General Manager, Public Utilities, and General Manager, Water Department, to inquire if there are plans to re-open the Pilarcitos picnic grounds at the San Francisco watershed; if the issue of liability in connection with the roads leading to the picnic grounds are in question; whether the Department can work with the City Attorney in preparing appropriate waivers for those desiring to use the roads and whether it is feasible to issue one-day equestrian permits for those who plan infrequent use of the trails.

By Supervisor Conroy, that letters of inquiry be sent to all department heads to determine the following: amounts, on an annual basis, of money spent preparing RFPs, RFQs and grant applications, itemized by copying, mailing and staff time; dollar amount and the nature of the individual contracts which are the subject of such RFPs, RFQs or grants and the number of responses to each of the RFQs, RFQs or grants and the identity of the respondents.

By Supervisor Conroy, that letter be sent to General Manager, Municipal Railway, requesting summary of the 1,099 claims to date in fiscal year 1992-93 budget under \$100,000 which now total over \$3.8 million and a summary of the 15 "unpaid" claims totalling an additional one-half million dollars.

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By Supervisor Conroy, that City Attorney provide opinion on charter provisions or other regulations which require the hiring of city residents.

By Supervisor Shelley, that City Attorney prepare legislation urging creation of graffiti hotline where members of the community can call to have graffiti removed.

By Supervisor Kaufman, that City Attorney prepare ordinance which would ban the sale of knives to minors.

Motion Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mary Hubert Turner (Supervisor Kennedy)
Esther Payton (Supervisor Kennedy)

File 2-93-14

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:10 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on September 13, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88

No. 15

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Monday, April 12, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 12, 1993 - 10:00 a.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 10:05 a.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden - 8.

Noted absent at first roll call:

Supervisors Bierman, Hsieh, Shelley - 3.

Quorum present.

Supervisor Bierman was noted present at 10:07 a.m.

Supervisor Hsieh was noted present at 10:12 a.m.

Supervisor Shelley was noted present at 10:06 p.m.

Presentation of Guests

President Alioto introduced and welcomed the Honorable Senator Milton Marks who is here today to pay tribute to Supervisor Roberta Achtenberg as Gay and Lesbian Community Woman of the Year for 1993 and to congratulate and wish her well in her nomination to the office of Assistant Secretary for Fair Housing and Equal Opportunity at the Department of Housing and Urban Development.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

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[Government Funding]

Ordinance appropriating \$255,000, Police Department, for permanent salaries - miscellaneous, premium pay - miscellaneous and related mandatory fringe benefits, for the creation of (10) ten positions, for fiscal year 1992-93; providing for ratification of action previously taken. (Supervisors Conroy, Alioto)

File 101-92-51, Ordinance No. 104-93

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance No. 250-92, 1992-93, Police Department, reflecting the addition of ten positions; companion measure to File 101-92-51. (Civil Service Commission)

File 102-92-14, Ordinance No. 109-93

Finally passed.

[Government Funding]

Ordinance appropriating \$27,901, Police Department, for permanent salaries - miscellaneous and related mandatory fringe benefits, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-52, Ordinance No. 105-93

Finally passed.

[Government Funding]

Ordinance appropriating \$750,000, Sheriff Department, for materials and supplies, fiscal year 1992-93. (Supervisor Migden)

File 101-92-54, Ordinance No. 106-93

Finally passed.

[Government Funding]

Ordinance appropriating \$690,864, Sheriff Department, for overtime fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-55, Ordinance No. 107-93

Finally passed.

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[Revolving Fund for Reimbursable Travel Expenses]
Ordinance amending Administrative Code, establishing a revolving fund of \$60,000 for reimbursable police travel expenses.
(Supervisor Alioto)

File 97-93-12, Ordinance No. 108-93

(Adds Section 10-169-9.)

Finally passed.

Passed for Second Reading

[Government Funding]
Ordinance appropriating \$590,407, Sheriff Department, for permanent salaries, mandatory fringe benefits, materials and supplies, equipment purchase-communications, data processing, word processing equipment and services of other departments-Building Repair, for the creation of 30 positions, for fiscal year 1992-93. (Sheriff Department)

File 101-92-58, Ordinance No.

Passed for second reading.

[Public Employment]
Ordinance amending Annual Salary Ordinance, 1992-93, Sheriff Department, reflecting the addition of thirty positions; Companion measure to Files 101-92-58 and 45-93-12. (Civil Service Commission)

File 102-92-19, Ordinance No.

Passed for second reading.

[Settlement of Litigation]
Ordinance authorizing settlement of litigation of William Besk, et al, against the City and County, et al, according to the terms and conditions of the stipulation of dismissal. (City Attorney)

File 45-93-12, Ordinance No.

(United States District Court No. C91-3453 WHO.)

Passed for second reading.

Adopted

[Child Welfare Worker Automobiles]
Resolution finding that in order to ensure adequate visitation of children in foster care by Child Welfare Social Workers, and to

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comply with State regulations regarding such visitation, the Department of Social Services may transfer funds to purchase ten replacement and twenty additional automobiles. (Department of Social Services)

File 107-93-1, Resolution No. 291-93

Adopted.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Cee Dent against the City and County, by payment of \$15,000. (City Attorney)

File 45-93-13, Ordinance No.

(Superior Court No. 937-833.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Judith Kemper against the City and County, by payment of \$8,500.00. (City Attorney)

File 45-93-14, Ordinance No.

(Municipal Court No. 077-348.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Francesca Matarrazzo and Lucrezia Ceraudo against the City and County, by payment of \$15,500. (City Attorney)

File 45-93-15, Ordinance No.

(Superior Court No. 913-539.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Julia Morgantini against the City and County, by payment of \$22,500. (City Attorney)

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File 45-93-16, Ordinance No.

(Superior Court No. 940-711.)

Passed for second reading.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Joshu Lucas against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-17, Ordinance No.

(Superior Court No. 940-395.)

Passed for second reading.

[Transfer of Steam Franchise]

Ordinance approving transfer of the Steam Franchise authorized by the Board of Supervisors under Ordinance No. 418-75 from the Pacific Gas and Electric Company to San Francisco Thermal, Limited Partnership. (Chief Administrative Officer)

File 186-93-1, Ordinance No.

Passed for second reading.

Adopted

[Contracting Out City Services]

Resolution concurring with the Controller's certification that security guard services can practically be performed at the Bureau of Engineering Offices at 1680 Mission Street by private contractor for a lower cost than if the services were performed by City and County employees. (Department of Public Works)

File 25-93-1, Resolution No. 282-93

Adopted.

[Demonstration County Alcohol and Drug Program Plan]

Resolution approving the San Francisco Demonstration County Alcohol and Drug Program Plan - Fiscal Year 1992-93 as prepared and submitted by the Department of Public Health, Division of Mental Health and Substance Abuse Services, Community Substance Abuse Services for submission to the State of California, Department of Alcohol and Drug Programs and authorizing and directing the President of the Board to certify said plan. (Department of Public Health)

File 30-93-6, Resolution No. 283-93

Adopted.

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[Acceptance of Gift]

Resolution accepting equipment and services valued at \$16,986 for the San Francisco Library for the blind and print handicapped, from Pacific Bell, The Bothin Foundation and the George S. Ladd Chapter Number 27 of the Telephone Pioneers of America, with the intent to purchase a computer work station. (Public Library)

File 38-93-3, Resolution No. 285-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Victor Bradley by payment of \$10,824.51. (City Attorney)

File 48-93-9, Resolution No. 265-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Denise Thurman and Veronica Butler by payment of \$32,500. (City Attorney)

File 48-93-10, Resolution No. 266-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Telecom Services Limited (WEST) Inc., by payment of \$200,000. (City Attorney)

File 48-93-11, Resolution No. 267-93

Adopted.

[Settlement of Claim]

Resolution approving the settlement of the unlitigated claim of Anis Karkar, by payment of \$14,000. (City Attorney)

File 48-93-12, Resolution No. 268-93

Adopted.

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[State Disability Insurance]

Resolution authorizing enrollment of Classification 0555 Executive Officer, Superior Court in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-3, Resolution No. 286-93

Adopted.

[Memorandum of Understanding]

Resolution ratifying amendment to Memorandum of Understanding with the Union of American Physicians and Dentists (for Bargaining Unit 8-CC). (Employee Relations Division)

File 93-93-3, Resolution No. 290-93

Adopted.

[Department of Social Services]

Resolution authorizing the Department of Social Services to amend its license to act as an adoption agency to reflect a change of address as required by the State Department of Social Services. (Department of Social Services)

File 107-93-2, Resolution No. 270-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Executive Director of the Port to apply for, accept and expend \$250,000 from the U.S. Department of Commerce (NOAA) for the San Francisco Fisheries and Environmental Research Center; providing for ratification of action previously taken; and placing \$240,000 on reserve. (Supervisor Shelley)

File 144-93-1, Resolution No. 292-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to apply for, accept and expend a grant of \$264,000 which includes indirect costs in the amount of \$5,280 based on two percent of the direct costs from the State Department of Mental Health, for AIDS/ARC/HIV Mental Health Residential and Adult Day Treatment Services; providing for ratification of action previously taken. (Department of Public Health)

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File 146-93-8, Resolution No. 293-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of \$179,576, from State Department of Health Services, for the continuation of immunization services; waiving indirect costs. (Department of Public Health)

File 146-93-12, Resolution No. 294-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, Community Substance Abuse Services to apply for a grant up to the amount of \$794,005, which includes indirect costs in the amount of \$85,957 based on eleven percent of direct costs as allowed by the State of California, Office of Traffic Safety only, from the State of California, Office of Traffic Safety and Department of Alcohol and Drug Programs to provide education, information, and activities related to substance abuse and driving to youth in San Francisco's middle and high schools; providing for ratification of action previously taken. (Department of Public Health)

File 146-93-13, Resolution No. 295-93

Adopted.

[SB 910 Targeted Case Management Contract]

Resolution authorizing, retroactively, the Department of Public Health, to execute a contract in the amount of \$7,525,189 annually for the period of July 1, 1992 through June 30, 1994 for Medi-Cal administrative services, known as Targeted Case Management, with State Department of Health Services, including provision indemnifying the State. (Department of Public Health)

File 172-93-12, Resolution No. 296-93

Adopted.

[Rent Supplement Contract]

Resolution approving amendment of the Alexis Apartments contract providing increase in monthly rent supplement payments to a maximum of fifteen thousand dollars. (Mayor)

File 172-93-13, Resolution No. 269-93

Monday, April 12, 1993

Adopted.

[Compressed Natural Gas Vehicle]

Resolution authorizing, retroactively, the Purchaser to enter into an agreement on behalf of the City and County with the California Energy Commission to obtain partial funding for a Compressed Natural Gas (CNG) light-duty vehicles and to participate in a CNG Demonstration and Evaluation Program. (Purchasing Department)

File 172-93-14, Resolution No. 297-93

Adopted.

[Grant - Federal Funds]

Resolution authorizing the Executive Director of the Department of Parking and Traffic to apply for, retroactively, accept and expend up to \$1,224,850 in Federal funds for the improvement of Bayshore Boulevard at the northbound U.S. 101 off-ramp to Army Street, the widening of Army Street between U.S. 101 and Third Street, a Traffic Video Surveillance Demonstration at various downtown locations, and new traffic signals at the intersections of Alemany Boulevard/Mt. Vernon Avenue, Clay Street/Powell Street, West Portal Avenue/Vicente Street and at Divisadero Street/Page Street, foregoing reimbursement of indirect costs; placing \$983,000 on reserve. (Department of Parking and Traffic)

File 192-93-4, Resolution No. 298-93

Adopted.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1509 changing the official width of sidewalk on the south side of Mission Street between Third and Fourth Streets as shown on the Department of Public Works Map Numbered Q-20-388; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-2, Ordinance No.

Passed for second reading.

Monday, April 12, 1993

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections at various locations. (Department of Parking and Traffic)

File 18-93-2, Resolution No. 279-93

Stop Signs - Establish

Wawona Street and 46th Avenue, southwest corner, stopping eastbound Wawona Street (makes this an all-way STOP).

Mabini and Folsom Streets, southeast corner, stopping northbound Mabini Street (stops the stem of this T-intersection).

Lapu Lapu and Harrison Streets, northwest corner, stopping southbound Lapu Lapu Street (stops the stem of this T-intersection).

Adopted.

[Parking Regulations]

Resolution enacting and rescinding parking regulations on various streets. (Department of Parking and Traffic)

File 19-93-2, Resolution No. 280-93

(No Parking any time - Establish

Edgehill Drive, west side, from the south property line of 113 Edgehill Drive to approximately 106 feet southerly (extends existing No Parking any time zone).

No Parking any time - Rescind

Tow-Away, No Stopping any time - Establish

Kissling Street, north side, from 11th Street to the east terminus.

Tow-Away, No Parking any time - Establish

Bellair Place, both sides, between Chestnut and Pfeiffer Streets.

Perpendicular (90-Degree Angle) Parking - Rescind

De Haro Street, east side, between 15th and 16th Streets.

De Haro Street, west side, approximately 280 feet northerly from Alameda Street.

Perpendicular (90-Degree Angle) Parking - Establish

De Haro Street, east side, between 16th and 17th Streets.

65-Degree Angle Parking - Establish

Raycliff Terrace, north side, from 7 feet to 33 feet east of west property line of 45 Raycliff Terrace (legalizes existing parking condition).

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45-Degree Angle Parking - Establish

De Haro Street, west side, approximately 280 feet northerly from Alameda Street.

Adopted.

[Traffic Regulations]

Resolution enacting and rescinding traffic regulations, various streets. (Department of Parking and Traffic)

File 20-93-2, Resolution No. 281-93

No Turn on Red - Establish

Mission Street, southbound, at Richland Avenue.
Alemany Boulevard, northbound at Huron and Ottawa Avenues.
Washington Street, westbound, at Montgomery Streets.

Tow-Away, No Stopping 3 P.M. TO 6 P.M. - Rescind

Tow-Away, No Stopping 3 P.M. TO 7 P.M. - Establish

Montgomery Street, west side, between Washington and Post Streets.

Tow-Away, No Stopping 7 A.M. TO 6 P.M. - Rescind

Tow-Away, No Stopping 7 A.M. TO 7 P.M. - Establish

Montgomery Street, east side, between Washington and Post Streets.

Tow-Away, No Stopping any time - Establish

Washington Street, north side, 30 feet west from Jones Street (replaces existing red zone.)

Adopted.

[Twenty-Sixth Street Rededication]

Resolution urging the Chief Administrative Officer to request the Director of the Department of Public Works to review rededicating Twenty-Sixth Street, between Harrison Street and Treat Avenue, as a public street and to resubmit recommendations to the Board of Supervisors; urging the Mayor to urge the Parking and Traffic Commission to request the Executive Director of the Department of Parking and Traffic to install marked crosswalks and all-way stop signs at the intersection of Twenty-Sixth Street, Treat Avenue and Harrison Street, and to consider banning parking on Twenty-Sixth Street, between Treat Avenue and Harrison Street as mitigation measures. (Supervisors Conroy, Maher)

File 35-93-1, Resolution No. 284-93

Adopted.

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Recommendations of Rules Committee

Adopted

[Appointments]

Resolution appointing members to the Mission Bay Hazardous Material Investigation and Remediation Program (HMIRP) Citizens Advisory Committee, terms to be determined by lot. (Rules Committee)

File 92-92-34.1, Resolution No. 289-93

(John V. Wadsworth (environmental/wetlands)
Neil Gendel (environmental/hazardous materials)
Calvin Welch (non-profit housing)
Shirley J. Kohlwes (waterfront business)
Corinne W. Woods (Mission Creek Harbor Association).)

Adopted.

[Appointments]

Resolution appointing members to the Commission on San Francisco's Environment, for terms to be determined by lot at their first meeting. (Rules Committee)

File 92-93-1.1, Resolution No. 271-93

(Nathan Ratner, At-large;
Paul C. Okamoto, At-large;
Anne Lee Eng, At-large.)

Adopted.

[Appointment]

Resolution appointing member to the Seismic Safety Retrofit Bond Program Advisory Board, for two-year term ending March 1, 1995. (Rules Committee)

File 92-93-5, Resolution No. 287-93

(Derek Y. Chan, financial/mortgage brokerage.)

Adopted.

[Appointment]

Resolution nominating member for appointment by the Mayor to the Citizens Advisory Committee on Elections for the unexpired portion of the four-year term ending May 16, 1993. (Rules Committee)

File 92-93-12, Resolution No. 288-93

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(Christopher L. Bowman, vice Martha Gillham, deceased.)

Adopted.

[Creating Commission]

Resolution creating the National Service Blue Ribbon Commission to develop a comprehensive plan in San Francisco of public service to implement the National Service Program. (Supervisors Achtenberg, Bierman, Alioto)

File 221-93-1, Resolution No. 300-93

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

(Supervisor Hsieh excused from voting.)

[Government Funding]

Ordinance appropriating \$373,000, Department of Parking and Traffic, for temporary salaries, overtime, mandatory fringe benefits, vehicle rental and materials and supplies, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-48, Ordinance No. 101-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

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[Government Funding]

Ordinance appropriating \$2,500,000, Municipal Railway, for claims and judgement, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-49, Ordinance No. 102-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Government Funding]

Ordinance appropriating \$3,235,100, Police Department, for permanent salaries - miscellaneous, permanent salaries - uniform, premium pay - uniform, differential pay, overtime - uniform and mandatory fringe benefits and rescinding \$850,000 from other fringe benefits, for fiscal year 1992-93; subject of previous budgetary denial. (Supervisors Migden, Alioto)

File 101-92-50, Ordinance No. 103-93

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Recommendation of Housing and Land Use Committee

Passed for Second Reading as Amended

[Prohibition Against Restriction on Number of Occupants]

Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies; amending Police Code Section 102 by repealing Section 102(g). (Supervisor Achtenberg)

File 179-93-1, Ordinance No.

(Amends Sections 503, 204.)

Supervisor Achtenberg, seconded by Supervisor Maher, moved an amendment of the whole entitled "Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum

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superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies; amending the Police Code by amending Section 102 to repeal Section 102(g)."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

From the Clerk

[Findings]

Motion adopting findings related to the appeal of the decision of the Director of Public Works approving a parcel map for the property located at 32-34 Napier Lane and 221 Greenwich Street, resubdividing Lot 34 in Assessor's Block No. 85 into two lots; making Prop M findings.

File 59-93-1.4

Supervisors Achtenberg and Kennedy Excused From Voting

The Clerk announced that Supervisors Achtenberg and Kennedy were not present during the public hearing on this matter and therefore need to be excused from voting.

Supervisor Maher, seconded by Supervisor Bierman, moved to excuse Supervisors Achtenberg and Kennedy from voting.

Motion to excuse Supervisors Achtenberg and Kennedy from voting adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Migden, Shelley - 9.

Excused: Supervisors Achtenberg, Kennedy - 2.

NEW BUSINESS

Recommendation of Budget Committee

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Passed for Second Reading

(Supervisor Hsieh dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$500,000, Chief Administrative Officer, for program project budget (fire benefit assessment district project), placing \$350,000 on reserve, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-57, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hsieh, Maher - 3.

Recommendation of Budget Committee and
Health and Public Safety Committee

Passed for Second Reading

[Union Square and Fisherman's Wharf Sightseeing Bus Stands]
Ordinance amending the Police Code, (regulations for motor vehicles for hire), Division IV (sightseeing and interurban buses), to (1) place the issuance of permits for Union Square and Fisherman's Wharf sightseeing vehicle stands under the jurisdiction of the Department of Parking and Traffic; (2) to provide for a competitive bidding procedure for the issuance of the Union Square permit; and (3) to make miscellaneous amendments to the criteria used in issuing the Union Square permit. (Department of Parking and Traffic)

File 121-93-1, Ordinance No.

(Fiscal Impact.)

(Amends Section 1159.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Grand Jury Reports]

Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1992-93 Civil Grand Jury

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pertaining to the Mayor's Office, City Planning Commission and Recreation and Park Department. (Government Efficiency and Labor Committee)

File 39-93-1.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Housing and Land Use Committee

Adopted as Amended

[Permit]

Resolution granting revocable permission to 343 Sansome Venture ((Hines Interests Limited Partnership)) to occupy a portion of the street area at Leidesdorff Street, between Halleck and Sacramento Streets, with multicolor patterned concrete pavement, planter pots, concrete trash receptacles, fabric banners, banner posts, removable pipe barricades for lunch time closures and other related improvements, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 10-93-1, Resolution No. 277-93

Supervisor Migden, seconded by Maher, moved to amend title, line 1 and text, lines 10 and 11, by replacing "Hines Interests Limited Partnership" with "343 Sansome Venture".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Called from Rules Committee by Supervisor Hallinan

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

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Consideration Continued

[Ballot Measure]

Charter amendment (Third Draft) amending Section 3.100 and adding Section 3.104 relating to filling of vacancies in the office of mayor. (Supervisors Achtenberg, Bierman, Hallinan, Shelley)

File 182-93-1

Suspension of the Rules

Supervisor Achtenberg, seconded by Supervisor Bierman, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit consideration of subject Charter amendment at today's meeting.

Motion to suspend the rules adopted by the following vote:

Ayes: Supervisors Achtenberg, Bierman, Hallinan, Hsieh, Maher, Migden, Shelley - 7.

Noes: Supervisors Alioto, Conroy, Kaufman, Kennedy - 4.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to continue consideration to April 19, 1993.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Alioto, Kaufman, Kennedy - 3.

Noes: Supervisors Achtenberg, Bierman, Conroy, Hallinan, Hsieh, Maher, Migden, Shelley - 8.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

After a brief period of discussion, Supervisor Achtenberg, seconded by Supervisor Maher, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

The roll was then called on the motion to continue consideration to April 19, 1993 and it was adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

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Called from Committee

[Ballot Measure]

Charter amendment (First Draft) amending Section 3.100 and adding Section 3.104 relating to the filling of vacancies in the office of the mayor. (Supervisor Alioto)

File 234-93-1

Supervisor Maher, seconded by Supervisor Kennedy, moved that the above subject charter amendment be called from Rules Committee and scheduled for consideration by the Board on April 19, 1993.

Motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Al Smith;
Shelley Salieri;
Edith McMillan;
Rita Harrison;
Louise Vaughn;
Virginia Conway;
Michael McNulty;
Edward.

Called from Health and Public Safety Committee
by Supervisor Alioto

Adopted

[State Legislation]

Resolution supporting AB 260 (Brown) allowing a needle exchange program in San Francisco. (Supervisors Alioto, Migden, Bierman, Shelley)

File 12-93-9, Resolution No. 278-93

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

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Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Housing and Land Use Committee

[Zoning and Building Regulation Enforcement]
Resolution urging the Mayor and the Chief Administrative Officer to urge the City's Zoning and Building Enforcement Departments and officials not to take final or disruptive actions against persons in the Sacramento Street Corridor who may be in violation of the City's current zoning and building regulations until there has been an opportunity over the next few months to consider any proposed amendments to the City's zoning and building regulations that may be considered for review and possible approval. (Supervisor Alioto)

File 115-93-3.1, Resolution No.

(April 5, 1993 - Introduced in Board for consideration on April 12, 1993.)

At the request of Supervisor Bierman, referred to Housing and Land Use Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference

Adopted

[Proclamation]
Resolution recognizing June 15, 1993 as San Francisco Janitor Appreciation Day in San Francisco. (Supervisors Shelley, Hsieh, Bierman, Kaufman, Kennedy, Hallinan)

File 4-93-12, Resolution No. 276-93

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(April 5, 1993 - Introduced in Board for consideration on April 12, 1993.)

Adopted.

[Proclamation]

Resolution urging the Mayor to declare Saturday, May 1 and Sunday, May 2, 1993, as Workers' Children's Fund Weekend as the City "Goes To Bat For Children". (Supervisor Hallinan)

File 4-93-14, Resolution No. 272-93

(April 5, 1993 - Introduced in Board for consideration on April 12, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

EMERGENCY CALENDAR

Adopted

[Needle Exchange Program]

Motion concurring in the determination of the Mayor for continued need for the declaration of emergency in connection with the needle exchange program. (Mayor)

File 30-93-5.2

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Monday, April 12, 1993

Severed from Immediate Adoption Calendar

Supervisor Achtenberg requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Sexual Orientation-Based Discrimination]
((Resolution urging the Human Rights Commission and City Attorney to continue and to escalate enforcement of all relevant city ordinances and codes relating to discrimination on the basis of sexual orientation.)) (Supervisor Achtenberg)

Resolution urging the Human Rights Commission to continue enforcement of all relevant City ordinances relating to discrimination on the basis of sexual orientation and urging the City Attorney to continue efforts to overturn court rulings holding that State law preempts local employment discrimination laws relating to sexual orientation.

File 217-93-2, Resolution No. 299-93

Supervisor Achtenberg, seconded by Supervisor Kennedy, moved an amendment of the whole entitled "Resolution urging the Human Rights Commission to continue enforcement of all relevant City ordinances relating to discrimination on the basis of sexual orientation and urging the City Attorney to continue efforts to overturn court rulings holding that State law preempts local employment discrimination laws relating to sexual orientation."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

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[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-15, Resolution No. 273-93

(Michael Huerta, Director, Port of San Francisco, April 8 - 12;
Edwin M. Lee, Director, Human Rights Commission, April 21 - 27;
John E. Newlin, Executive Director, Parking and Traffic,
May 8 - 13, 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Adopted

[Street Closing]

Resolution authorizing temporary closing of portions of Bannan Alley, Filbert Street and Grant Avenue, on various dates, for filming.

File 42-93-17, Resolution No. 274-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Task Force on Youth Employment]

Resolution amending Resolutions 856-92, 964-92 and 982-92 relating to the Task Force on Youth Employment by extending the terms of members appointed to the task force by an additional 60 days.

File 174-93-5, Resolution No. 275-93

Supervisor Kennedy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 7.

Absent: Supervisors Achtenberg, Alioto, Conroy, Maher - 4.

OFF-CALENDAR LEGISLATION

Monday, April 12, 1993

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS
NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Rent Ordinance]

Ordinance amending Administrative Code by amending Section 37.2 to exempt from Chapter 37 dwelling units solely owned by a non-profit public benefit corporation in which a majority of its governing body are residents of the dwelling units and whose bylaws require rent increases be approved by a majority of residents of the dwelling units. (Supervisor Achtenberg presented.) Referred to Housing and Land Use Committee.

File 109-93-3

[Graffiti Regulation]

Ordinance amending Public Works Code by enacting a new Article 23 (Sections 1300 through 1307) prohibiting graffiti on public and private property, declaring the existence of graffiti on public or private property to be a nuisance, authorizing the Director of the Department of Public Works to order the removal of graffiti and authorizing the Department of Public Works to impose a lien on private property in order to recover the cost of graffiti removal. (Supervisor Conroy presented.) Referred to Housing and Land Use Committee.

File 123-93-2

[Fire Protection Assessment District]

Ordinance amending Public Works Code by enacting a new Article 6.2 (Sections 251.001 through 251.087) to authorize the Board of Supervisors to initiate proceedings to establish a fire protection assessment district and to levy annual fire protection assessments. (Supervisor Migden presented.) Referred to Budget Committee.

File 123-93-3

[Cafe Arts]

Resolution declaring November 1993 to be Cafe Arts Month in San Francisco in recognition of the valuable role played by cafe artists in San Francisco. (Supervisor Shelley presented.) Referred to Economic Vitality and Social Policy Committee.

File 4-93-15

Referred to Board

[Small Business Week]

Resolution declaring May 10-16, 1993 as Small Business Week in San Francisco. (Supervisor Shelley presented.) Referred to Board April 19, 1993 For Adoption Without Committee Reference Calendar.

File 4-93-16

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Referred to Committee

[Bridge Toll Increase]

Resolution urging the State Legislature to increase the toll on San Francisco Bay Area bridges by one dollar. (Supervisor Kennedy presented.) Referred to Housing and Land Use Committee.

File 12-93-17

Referred to Board

[Job Corps]

Resolution endorsing the concept of a Job Corps Center in San Francisco and urging our Federal representatives to begin lobbying the U. S. Department of Labor for such a facility. (Supervisors Kennedy, Shelley, Bierman presented.) Referred to Board April 19, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-13

[Federal Legislation]

Resolution declaring support of the Board of Supervisors of the City and County of San Francisco for the National Economic Conversion and Environmental Restoration Act of 1993 (HR 1323). (Supervisor Bierman presented.) Referred to Board April 19, 1993 For Adoption Without Committee Reference Calendar.

File 13-93-14

Referred to Committee

[Department of Public Health Financial Restructure]

Resolution endorsing Department of Public Health financial restructuring. (Supervisors Alioto, Kaufman presented.) Referred to Budget Committee.

File 30-93-7

[Lease]

Resolution urging the Mayor to urge the San Francisco Art Commission to enter negotiations with representatives of the San Francisco Muslim Community regarding their proposal to lease property at Fillmore and Turk Streets for use as "The Muslim-American Cultural and Educational Center". (Supervisor Kennedy presented.) Referred to Government Efficiency and Labor Committee.

File 65-93-3

[Water Department]

Resolution urging the Mayor to urge the Public Utilities Commission to eliminate all of the temporary positions added to the Water

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Department for the drought. (Supervisor Hallinan presented.)
Referred to Budget Committee.

File 188-93-2

[Hotel Room Referral]

Substitute resolution urging the Mayor to urge the Social Services Commission to direct the Department of Social Services to discontinue referral of individuals to hotels that are in violation of health or building codes. (Supervisor Kaufman presented.)
Referred to Government Efficiency and Labor Committee with request it be considered at the April 21, 1993 meeting.

File 200-93-2.3

[Bureau of Building Inspection]

Resolution urging his Honor, the Mayor, to urge the Chief Administrative Officer to urge the Department of Public Works, Bureau of Building Inspection, to set aside and transfer to the City Attorney's Office funds to work order two additional Deputy City Attorney positions to process the 300 cases currently waiting legal action. (Supervisor Kaufman presented.) Referred to Government Efficiency and Labor Committee with request it be considered at the April 21, 1993 meeting.

File 200-93-2.7

Requests for Hearings:

File 27-93-5, By Supervisor Alioto: To consider enacting an airport departure surcharge. Referred to Budget Committee.

File 206-93-2, By Supervisor Shelley: To consider the issue of crime in the vicinity of Bernal dwellings and the need for additional police officers through an agreement with the San Francisco Housing Authority to fund said officers. Referred to Health and Public Safety Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 86-93-1. [San Francisco County Fair/Flower Show] Approving an agreement to conduct the San Francisco County Fair/Flower Show for the years 1994, 1995 and 1996 in the San Francisco County Fair Building and Grounds located in Golden Gate Park, San Francisco, California. (Recreation and Park Commission) Government Efficiency and Labor Committee

File 97-93-19. [Hold Harmless Agreements] Amending Administrative Code by adding Section 1.25-7 thereto, regarding hold harmless

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agreements with licensees, permittees, and others at the San Francisco Convention Facilities pertaining to compliance with the Americans with Disabilities Act and requiring approval of the Chief Administrative Officer and the City Attorney for any modification thereto. (Chief Administrative Officer) Government Efficiency and Labor Committee

File 166-93-2.1. [Settlement of Lawsuit] Authorizing settlement of litigation of City and County of San Francisco against Alexander Metlenko and Helen F. Metlenko by accepting consideration in the total amount of \$10,000 payable in cash and discharging said persons above-named from further liability; companion measure to File 166-93-2. (Tax Collector) Government Efficiency and Labor Committee

Resolutions Referred to Committee

File 12-93-16. [Assembly Bill 2207] Supporting AB 2207 adjusting salaries and number of personnel of Superior and Municipal Courts. (Municipal Court) Budget

File 140-93-1. [Grant - State Funds] Authorizing the San Francisco Fire Department to accept and expend \$48,522 from the State of California Department of Industrial Relations for a Back Injury Prevention Program; including \$2,426 for indirect costs. (Fire Department) Government Efficiency and Labor

File 152-93-1. [Grant - State Funds] Authorizing the Sheriff Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend \$395,991 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulations adherence to standards of recruitment and training established by the Board of Corrections. (Sheriff) Government Efficiency and Labor

File 170-93-5. [Housing Revenue Bonds] Approving and authorizing the execution and delivery of a supplemental indenture relating to the City and County of San Francisco variable rate demand Multifamily Housing Revenue Bonds (Winterland Project) 1985 Series C; approving and ratifying previous actions; and approving and authorizing the execution and delivery of any document reasonably necessary to consummate the transactions contemplated by said supplemental indenture. (Mayor's Office of Housing) Budget

File 270-93-3. [Mayor's Earthquake Emergency Relief Fund Expenditure] Approving expenditure of \$289,549 from the Mayor's Earthquake Emergency Relief Fund to modernize certain equipment assigned to the Office of Emergency Services (OES), and to equip the Emergency Command Center (ECC) of the City and County of San Francisco. (Mayor's Office of Emergency Services) Budget

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

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By Supervisor Conroy, that City Attorney prepare ordinance which enacts a public contract laborer residency requirement.

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Municipal Railway, requesting comment on the current Calvin Klein advertisements bearing three prominent letter "K's", which when viewed from afar resemble the acronym for the Ku Klux Klan.

By Supervisor Hallinan, that City Attorney review all relevant charter provisions concerning the salary standardization procedure pertaining to miscellaneous employees and advise the members concerning the Mayor's request that the Board of Supervisors not approve the ordinance until after the deadline has passed.

By Supervisor Migden, that City Attorney prepare charter amendment requiring the use of public sector data only in the salary standardization process.

By Supervisor Migden, that City Attorney prepare charter amendment permitting the Board of Supervisors to amend the salary standardization ordinance in fiscal emergencies.

By Supervisor Migden, that City Attorney prepare charter amendment to consolidate the Civil Service Commission, Employee Relations Division, Health Service System Board and Retirement Board into a single Personnel Department.

By Supervisor Migden, that City Attorney prepare charter amendment abolishing the Public Utilities Commission and creating in its place a Municipal Railway Department and Department of Water and Power which combines Hetch Hetchy Water and Power and the Clean Water Program.

By Supervisor Migden, that City Attorney prepare charter amendment requiring the Mayor to submit the budget to the Board of Supervisors on May 1.

By Supervisor Migden, that City Attorney prepare ordinance for submission to the voters authorizing the Board of Supervisors to impose a gasoline tax to fund the Municipal Railway.

By Supervisor Migden, that City Attorney prepare ordinance amending Administrative Code Section 18.13 relating to overtime by deleting the exemption for uniformed ranks of the police and fire departments and transit operators and transit operator supervisors of the Municipal Railway.

By Supervisor Migden, that City Attorney prepare ordinance amending Administrative Code Section 18.13 relating to overtime to require approval of the Mayor for all overtime exceeding 16 percent of hours regularly scheduled for an employee, in advance, except in emergencies.

By Supervisor Migden, that City Attorney prepare appropriate legislation authorizing a freeze on salaries over \$100,000 for a two year period.

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By Supervisor Migden, that City Attorney prepare ordinance amending Administrative Code to grant the Human Rights Commission the authority to mediate and conciliate complaints of sexual orientation discrimination under State Labor Code Sections 1101 and 1002.

By Supervisor Migden, that City Attorney prepare resolution memorializing the State Legislature to grant the Human Rights Commission the authority to mediate and conciliate complaints of sexual orientation discrimination under State Labor Code Sections 1101 and 1002.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Camille A. Clarke (Supervisor Alioto)
Douglas Von Kuehlmann (Supervisor Alioto)
Hiroshi Vchida (Supervisor Shelley)
John Petrin, Sr. (Supervisor Conroy)

File 2-93-15

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 11:56 a.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on September 20, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Vol. 88

No. 16

DOCUMENTS DEPT.

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SAN FRANCISCO
PUBLIC LIBRARY

Monday, April 19, 1993

Wednesday, April 21, 1993

Journal of Proceedings Board of Supervisors

City and County of San Francisco

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 19, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:06 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Hallinan, Hsieh, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Kaufman, Maher, Shelley - 4.

Quorum present.

Supervisor Conroy was noted present at 2:07 p.m.

Supervisor Kaufman was noted present at 2:07 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Shelley was noted present at 2:11 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, September 14, and September 21, 1992, be approved.

Motion carried by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

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CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$590,407, Sheriff Department, for permanent salaries, mandatory fringe benefits, materials and supplies, equipment purchase-communications, data processing, word processing equipment and services of other departments-Building Repair, for the creation of 30 positions, for fiscal year 1992-93. (Sheriff's Department)

File 101-92-58, Ordinance No. 119-93

Finally passed.

[Public Employment]

Ordinance amending Annual Salary Ordinance, 1992-93, Sheriff Department, reflecting the addition of thirty positions; Companion measure to Files 101-92-58 and 45-93-12. (Civil Service Commission)

File 102-92-19, Ordinance No. 120-93

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of William Besk, et al, against the City and County, et al, according to the terms and conditions of the stipulation of dismissal. (City Attorney)

File 45-93-12, Ordinance No. 110-93

(United States District Court No. C91-3453 WHO.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Cee Dent against the City and County, by payment of \$15,000. (City Attorney)

File 45-93-13, Ordinance No. 111-93

(Superior Court No. 937-833.)

Monday, April 19, 1993

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Judith Kemper against the City and County, by payment of \$8,500.00. (City Attorney)

File 45-93-14, Ordinance No. 112-93

(Municipal Court No. 077-348.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Francesa Matarrazzo and Lucrezia Ceraudo against the City and County, by payment of \$15,500. (City Attorney)

File 45-93-15, Ordinance No. 113-93

(Superior Court No. 913-539.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Julia Morgantini against the City and County, by payment of \$22,500. (City Attorney)

File 45-93-16, Ordinance No. 114-93

(Superior Court No. 940-711.)

Finally passed.

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Joshu Lucas against the City and County, by payment of \$20,000. (City Attorney)

File 45-93-17, Ordinance No. 115-93

(Superior Court No. 940-395.)

Finally passed.

[Transfer of Steam Franchise]

Ordinance approving transfer of the Steam Franchise authorized by

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the Board of Supervisors under Ordinance No. 418-75 from the Pacific Gas and Electric Company to San Francisco Thermal, Limited Partnership. (Chief Administrative Officer)

File 186-93-1, Ordinance No. 124-93

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Width of Sidewalk]

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalk" by adding thereto Section 1509 changing the official width of sidewalk on the south side of Mission Street between Third and Fourth Streets as shown on the Department of Public Works Map Numbered Q-20-388; and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 34-93-2, Ordinance No. 121-93

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

(Supervisor Hsieh dissenting in Committee.)

[Government Funding]

Ordinance appropriating \$500,000, Chief Administrative Officer, for program project budget (fire benefit assessment district project), placing \$350,000 on reserve, for fiscal year 1992-93. (Supervisors Migden, Alioto)

File 101-92-57, Ordinance No. 118-93

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden - 7.

Noes: Supervisors Conroy, Hsieh - 2.

Absent: Supervisors Maher, Shelley - 2.

Recommendation of Budget Committee and
Health and Public Safety Committee

Finally Passed

[Union Square and Fisherman's Wharf Sightseeing Bus Stands]
Ordinance amending the Police Code, (regulations for motor vehicles for hire), Division IV (sightseeing and interurban buses), to (1) place the issuance of permits for Union Square and Fisherman's Wharf sightseeing vehicle stands under the jurisdiction of the Department of Parking and Traffic; (2) to provide for a competitive bidding procedure for the issuance of the Union Square permit; and (3) to make miscellaneous amendments to the criteria used in issuing the Union Square permit. (Department of Parking and Traffic)

File 121-93-1, Ordinance No. 122-93

(Fiscal Impact.)

(Amends Section 1159.)

Finally passed by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Recommendation of Housing and Land Use Committee

Finally Passed

[Prohibition Against Restriction on Number of Occupants]
Ordinance amending Housing Code, to prohibit any persons or their agents from refusing a dwelling unit on the basis of the number of occupants if the number of persons occupying a room for sleeping purposes does not violate the minimum superficial floor area standards prescribed in Section 503(b), and to provide for civil remedies. (Supervisor Achtenberg)

File 179-93-1, Ordinance No. 123-93

(Amends Housing Code Sections 204, 503;
Repeals Police Code Section 102(g).)

Finally passed by the following vote:

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Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Called from Rules Committee by Supervisor Hallinan

Refused Submission as Amended

[Ballot Measure]

Charter amendment (Third Draft) amending Section 3.100 and adding Section 3.104 relating to filling of vacancies in the office of mayor. (Supervisors Achtenberg, Bierman, Hallinan, Shelley)

File 182-93-1

Supervisor Achtenberg, seconded by Supervisor Maher, moved an amendment of the whole (Fourth Draft) bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Noes: Supervisor Hallinan - 1.

Refused submission as amended by the following vote:

Ayes: Supervisors Achtenberg, Bierman, Hallinan, Migden, Shelley - 5.

Noes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher - 6.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Government Funding]

Ordinance appropriating \$2,440,000, Port Commission, for various capital improvement projects, for fiscal year 1992-93; placing \$2,440,000 on reserve. (Controller)

File 101-92-59, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

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[Government Funding]

Ordinance appropriating \$71,327, Board of Supervisors, for professional services and services of other departments-miscellaneous departments (Budget Analyst Services and Government Access Channel); subject of previous budgetary denial, for fiscal year 1992-93. (Controller)

File 101-92-61, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

:

[General Assistance Property and Grant Levels]

Ordinance amending Administrative Code, (General Assistance Ordinance) relating to allowable personal property and to the computation of aid grants. (Department of Social Services)

File 97-93-18, Ordinance No.

(Amends Sections 20.56.10 and 20.57.)

Passed for second reading by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted as Amended

[State Budget]

Resolution urging the Governor and State Legislature to protect the revenues of the Cities and Counties, and declaring the City's intention to participate in a rally on ((May 19)) June 16, 1993 in the State Capital advocating for the revenue needs of the Cities and Counties. (Supervisors Migden, Alioto, Shelley)

File 12-93-13, Resolution No. 313-93

Supervisor Migden, seconded by Supervisor Kennedy, moved to amend title, line four and page three, line seven, by replacing "May 19" with "June 16".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

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From Budget Committee with Recommendation "Do Pass"

Adopted

[Water Rates - Finding]

Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of rescission of the water rate schedule W-42, water use in excess of allotment, charged by the San Francisco Water Department. (Supervisors Kaufman, Alioto, Hallinan)

File 142-93-1, Resolution No. 307-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

(Only one of the following two resolutions should be adopted.)

[Water Rates]

Resolution approving the rescission of water rate schedule W-42 charged by the San Francisco Water Department for water use in excess of allotment. (Supervisors Kaufman, Alioto, Hallinan)

File 142-93-1.1, Resolution No. 316-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

From Budget Committee with Recommendation "Do Not Pass"

Tabled

[Water Rates]

Resolution disapproving the rescission of water rate schedule W-42 charged by the San Francisco Water Department for water use in excess of allotment. (Supervisors Kaufman, Alioto, Hallinan)

File 142-93-1.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Budget Committee and
Select Committee on Hunters Point Naval Shipyard
and Presidio Army Base Closure

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Adopted

[Survey Area]

Resolution designating and describing a survey area within the City and County pursuant to the California Community Redevelopment Law (Hunters Point Naval Shipyard). (Supervisors Kennedy, Alioto, Shelley)

File 71-93-1, Resolution No. 306-93

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Civil Rights Laws - Human Rights Ordinance]

Resolution requesting the City Attorney to intervene as an amicus curiae in the case of Delaney vs Superior Fast Freight and memorializing the California Legislature to permit local governments to adopt civil rights laws. (Supervisors Kaufman, Maher, Alioto)

File 194-93-1, Resolution No. 317-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted as Amended

[University of California, San Francisco]

((Resolution expressing support for the efforts of the University of California to expand within the City and County of San Francisco and urging the Mayor's continued cooperation with those efforts.))
(Supervisors Migden, Hallinan, Alioto)

Resolution expressing support for the efforts of the University of California to expand within the City and County of San Francisco; urging the Mayor's continued cooperation with those efforts, requesting reports and expressing the Board's intent to continue cooperating and participating in these efforts, also.

File 216-93-1, Resolution No. 318-93

Supervisor Bierman, seconded by Supervisor Migden, moved to amend page one, line 19, by deleting "to five"; amend page two, line nine, by adding "Further Resolved, That the Board of Supervisors requests that the UCSF Long Range Development Plan Citizen Advisory

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Committee make regular reports to the Board on its recommendations regarding the future expansion of the University; and, be it";

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Migden, seconded by Supervisor Bierman, moved to amend page two, line 11, after "efforts" by adding ", and expressing the Board's intent to continue cooperating and participating in these efforts also".

Motion to amend adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Adopted

[School of Library and Information Studies]
Resolution urging Chancellor Chang-Lin Tien to oppose any recommendation to close the School of Library and Information Studies at the University of California, Berkeley, and urging immediate recruitment of a new dean for the School of Library and Information Studies. (Supervisor Alioto)

File 226-93-1, Resolution No. 319-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading As Amended

(Supervisor Kaufman dissenting in Committee.)

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing

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working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

(March 15, 1993 Pursuant to Charter Section 3.100-2, The Board of Supervisors extended the date for passage for second reading to April 19, 1993 and the date for final passage to April 26, 1993.)

Supervisor Hallinan reported that the Civil Service Commission recommended that the Board of Supervisors approve the 1993-1994 Salary Standardization Ordinance for miscellaneous employees and reject the various classes under benchmark Classifications 3417 gardener and 6331 building inspector until the meet and confer process with the Employee Relations Division have been completed.

After a period of debate, Deputy City Attorney Ted Lakey advise that if the Board determines that the two classes are deemed disapproved, the Board, pursuant to Charter Section 3.100-2 could move to extend to June 30, 1993 the deadline for the final adoption of the Salary Standardization Ordinance for these two particular classes.

Supervisor Hallinan, seconded by Supervisor Maher, moved to amend by deleting the various classes under Benchmark Classifications 3417 gardener and 6331 building inspector (See infra.).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Shelley - 8.

Noes: Supervisors Kaufman, Maher - 2.

Absent: Supervisor Migden - 1.

Adopted

[Salary Standardization Ordinance]
Motion rejecting the Salary Standardization Ordinance relating to the various classes under benchmark Classifications 3417 gardener and 6331 building inspector and extending to June 30, 1993 the deadline for the final adoption of the Salary Standardization Ordinance for these particular classes.

File 106-93-1.1

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Supervisor Hallinan presented for immediate adoption.

Supervisor Maher, seconded by Supervisor Hallinan, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Kennedy, Migden - 3.

Recommendation of Health and Public Safety Committee

Adopted

[Abortion Rights]

Resolution condemning the Supreme Court's Bray v. Alexandria Women's Health Clinic decision eliminating federal protection for women's rights to access abortion clinics and supporting federal legislation that would reinstate federal protections for women's access to health clinics. (Supervisors Shelley, Alioto, Hallinan, Migden, Kennedy)

File 13-93-2, Resolution No. 314-93

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]

Hearing of appeal from the decision of the City Planning Commission by its Motion No. 13451, dated January 21, 1993, approving Conditional Use Application No. 90.378C, authorizing the conversion of a sixty-two unit residential hotel to a sixty-two unit tourist hotel under Section 722.55 and for a commercial use greater than 2,500 square feet under Section 722.11 in the North Beach Neighborhood Commercial District and a 40-X Height and Bulk District of property located at 2237 Mason Street (San Remo).

File 37-93-1

Monday, April 19, 1993

(Appeal filed February 22, 1993.)

(Final Negative Declaration adopted as amended November 25, 1991.)

From the Clerk

Adopted

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property located at 2237 Mason Street.

File 37-93-1.1

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

The President reassumed the Chair.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]

Motion approving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-93-1.2

(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

Supervisor Bierman, seconded by Supervisor Achtenberg, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Hallinan, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hsieh, Kaufman, Kennedy, Maher - 5.

Tabled

[Zoning Appeal]

Motion disapproving decision of the City Planning Commission by its Motion No. 13451, approving Conditional Use Application No. 90.378C, of property located at 2237 Mason Street.

File 37-93-1.3

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(2237 Mason Street, west side, between Francisco and Chestnut Streets, with frontage along Water Street, Lot 2 in Assessor's Block 51.)

Supervisor Achtenberg, seconded by Supervisor Hallinan, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Tabled as Amended

Motion urging the Mayor to urge the Board of Permit Appeals to work out a fee schedule of payment that would be more helpful to the owners of the San Remo Hotel and requesting the Board of Permit Appeals to substantially reduce the fee.

Supervisor Maher, seconded by Supervisor Kennedy, moved adoption of motion urging the Mayor to urge the Board of Permit Appeals to substantially reduce the fee imposed on the San Remo Hotel.

Supervisor Bierman, seconded by Supervisor Achtenberg, moved substitute motion urging the Mayor to urge the Board of Permit Appeals to work out a fee schedule of payment that would be more helpful to the owners of the San Remo Hotel.

Substitute motion adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 11.

Supervisor Maher, seconded by Supervisor Kennedy, moved to further amend the motion by adding "and requesting that they substantially reduce the fee".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Maher - 6.

Noes: Supervisors Achtenberg, Bierman, Hallinan, Migden, Shelley - 5.

Supervisor Maher, seconded by Supervisor Achtenberg, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 10.

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Absent: Supervisor Migden - 1.

Adopted

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 90.378C of property located at 2237 Mason Street, for action by the Board at its next meeting.

File 37-93-1.4

Adopted by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

Recess

The Board, at the hour of 5:02 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 5:15 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Quorum present.

Supervisor Shelley was noted present at 5:17 p.m.

Appointment of President Pro Tempore

At the request of the President, Supervisor Shelley assumed the Chair.

Monday, April 19, 1993

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Geraldine Johnson;
Tavai Fiatoa;
Louise Vaughn;
Ace Washington;
Keith Consur;
Margaret Verges;
Dehnert Queen.

Called from Rules Committee by the Board

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.)

In accordance therewith, consideration of the following proposed Charter amendment appropriately may be continued at least one week.)

Tabled

[Ballot Measure]

Charter amendment (First Draft) amending Section 3.100 and adding Section 3.104 relating to the filling of vacancies in the office of the mayor. (Supervisor Alioto)

File 234-93-1

Supervisor Achtenberg, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Achtenberg, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Monday, April 19, 1993

Adopted

[Small Business Week]

Resolution declaring May 10-16, 1993 as Small Business Week in San Francisco. (Supervisor Shelley)

File 4-93-16, Resolution No. 312-93

(April 12, 1993 - Introduced in Board for consideration on April 19, 1993.)

Adopted.

[Job Corps]

Resolution endorsing the concept of a Job Corps Center in San Francisco and urging our Federal representatives to begin lobbying the U. S. Department of Labor for such a facility. (Supervisors Kennedy, Shelley, Bierman)

File 13-93-13, Resolution No. 303-93

(April 12, 1993 - Introduced in Board for consideration on April 19, 1993.)

Adopted.

[Federal Legislation]

Resolution declaring support of the Board of Supervisors of the City and County of San Francisco for the National Economic Conversion and Environmental Restoration Act of 1993 (HR 1323). (Supervisor Bierman)

File 13-93-14, Resolution No. 315-93

(April 12, 1993 - Introduced in Board for consideration on April 19, 1993.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Kaufman, Kennedy, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after

Monday, April 19, 1993

the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-16, Resolution No. 308-93

(Willie B. Kennedy, member, Board of Supervisors, April 19 - 22; Kevin Shelley, member, Board of Supervisors, April 23 - 28; Wayne Alba, member, Board of Permit Appeals, April 10 - 18; Marie K. Brooks, member, Airports Commission, April 13 - 19; Julia Campbell, member, Commission on the Aging, April 15 - 17; John A. Ertola, member, Fire Commission, April 18 - May 9; Robert H. Feldman, Executive Director, April 8 - 15 and May 12 - 16; Edward Helfeld, Executive Director, Redevelopment Agency, May 12 - 16; James R. Herman, member, Port Commission, April 20 - 22; Frederick E. Jordan, member, Parking and Traffic Commission, March 31 - April 5; Edwin Lee, Director, Human Rights Commission, April 21 - 27; Joseph A. Medina, Chief of Fire Department, April 29 - May 6; Jane Morrison, member, Social Services Commission, April 12 - 18; Clare M. Murphy, General Manager, Retirement System, June 28 - July 1; Patrick A. Murphy, President, Airports Commission, April 15 - 17; John E. Newlin, Executive Director, Parking and Traffic, May 8 - 13; Juanita Owens, member, Board of Permit Appeals, April 3 - 10; Harry S. Parker, III, Director, Fine Arts Museums, May 6 - 10; Raymond Del Portillo, member, Commission on the Aging, April 4 - 10; Manuel A. Rosales, member, Parking and Traffic Commission, April 14 - 18, 22 - 26 and May 19 - 22, 1993.)

Adopted.

[Acceptance of Gift]

Resolution accepting a gift from the Library Foundation of San Francisco in the amount of \$204,500 for the temporary relocation of the Chinatown Branch Library during renovation of the current facility. (Supervisor Hsieh)

File 38-93-6, Resolution No. 311-93

Adopted.

(The Immediate Adoption Calendar includes the following additional resolutions submitted after preparation of the calendar.)

Monday, April 19, 1993

Adopted

[Victims Rights Week]

Resolution declaring April 25 - May 1, 1993 as Victims Rights Week.

File 4-93-17, Resolution No. 309-93

Supervisor Alioto presented for immediate adoption.

Adopted.

[Commission on Sustainable Development]

Resolution supporting all concerted efforts to persuade the United Nations to locate the Commission on Sustainable Development in San Francisco, urging the Mayor to establish and appoint an advocacy committee to present the case for San Francisco to the President of the United States and other officials.

File 13-93-15, Resolution No. 310-93

Supervisors Kaufman, Shelley, Bierman presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Maher, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Kaufman, Kennedy, Migden - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Lease Amendment]

Ordinance approving a lease amendment entered into between the City and County and the San Francisco 49ers, which would change the formula by which concession revenues are allocated to the City and the 49ers. (Supervisor Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 62-93-2

Monday, April 19, 1993

[Filing of Campaign Statements]

Ordinance amending Administrative Code by adding Article XIIB, Sections 16.535 through 16.539, to require candidates and political committees to file copies of their campaign statements on computer diskette. (Supervisors Achtenberg, Bierman, Hallinan, Shelley and Alioto presented.) Referred to Government Efficiency and Labor Committee.

File 97-93-4

[Environmental Review Fees]

Ordinance amending Administrative Code by amending Section 31.46A to increase fees, add new fees and extend the operative date through 1995 concerning environmental impact reports and negative declarations and amending Section 31.46 to be operative January 1, 1996 concerning fees for environmental review procedures. (Supervisor Hsieh presented.) Referred to Budget Committee.

File 97-93-21

[Fee Surcharge]

Ordinance amending Administrative Code by amending Chapter 10F.1 concerning the surcharge to recover costs for acquiring office space at 1660 Mission Street, for section numbers to conform to new legislation. (Supervisor Hsieh presented.) Referred to Budget Committee.

File 97-93-22

[Planning Fees]

Ordinance amending City Planning Code by repealing existing Article 3.5A and enacting new Article 3.5A to reorganize the article, impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services and extend the operative date through 1995 and by amending Article 3.5 to be operative January 1, 1996 concerning planning code fees. (Supervisor Hsieh presented.) Referred to Budget Committee.

File 115-93-4

[Replica Hypodermic Needles or Syringes]

Ordinance amending Police Code by adding Article 41, Sections 4100, 4101, 4102 and 4103, prohibiting the sale or possession of replica hypodermic needles or syringes. (Supervisor Hsieh presented.) Referred to Health and Public Safety Committee.

File 121-93-2

[New Jobs Tax Credit]

Ordinance amending Part III, Municipal Code, by adding Sections 905.5 and 1005.5, to add credits for newly created jobs to offset business tax and payroll expense tax liabilities. (Supervisor

Monday, April 19, 1993

Kaufman presented.) Referred to Economic Vitality and Social Policy Committee.

File 127-93-2

[Enterprise Zone, Tax Credit]
Ordinance amending Part III, Municipal Code, by amending Sections 906A and 1005.5, by increasing tax credits for persons who maintain a fixed place of business within the San Francisco Enterprise Zone and who create new jobs and hire employees qualified under specified government jobs programs. (Supervisor Kaufman presented.) Referred to Economic Vitality and Social Policy Committee.

File 127-93-3

[HIV Youth Task Force]
Resolution establishing the HIV Youth Task Force to examine the issues affecting HIV infected and at risk young people and submitting recommendations to the Board of Supervisors. (Supervisor Alioto presented.) Referred to Health and Public Safety Committee.

File 108-93-1

Referred to Board

[Supplemental Appropriation]
Resolution urging the Mayor to urge the Public Utilities Commission to introduce a supplemental appropriation for the purposes of conducting an independent management audit of the Municipal Railway. (Supervisor Conroy presented.) Referred to Board April 26, 1993 For Adoption Without Committee Reference Calendar.

File 165-93-5.1

Referred to Committee

[Gift of Funds]
Resolution approving a gift of funds from the Department of Parking and Traffic to the Names Project. (Supervisor Migden presented.) Referred to Budget Committee.

File 190-93-2

[Housing Authority]
Resolution endorsing plans for the revitalization and renovation of Bernal Dwellings and Yerba Buena Plaza East. (Supervisor Shelley presented.) Referred to Board April 26, 1993 For Adoption Without Committee Reference Calendar.

File 206-93-3

Monday, April 19, 1993

[Fee Increase]

Resolution approving the California Academy of Sciences admission fee increases with respect to buildings under its control. (Supervisor Migden presented.) Referred to Budget Committee.

File 209-93-1

[Graffiti Hotline]

Resolution urging the Mayor to urge the Director of Public Works to create a graffiti hotline. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 218-93-1 ,

[Illegal Dumping Fine]

Resolution urging the Municipal Court to increase the bail for illegal dumping of refuse from \$52 to \$300 and directing the Clerk to transmit a copy of this resolution to the Municipal Court. (Supervisor Shelley presented.) Referred to Health and Public Safety Committee.

File 237-93-1

Requests for Hearings:

File 32-93-2, By Supervisor Migden: To consider Viacom's role in management of municipal access channels and community programming. Referred to Government Efficiency and Labor Committee.

File 45-93-20, By Supervisor Hallinan: To consider settlement of litigation of Ali, et al, v. City and County of San Francisco, et al. Referred to Government Efficiency and Labor Committee.

File 97-93-17, By Supervisor Maher: To consider reinstating the five percent preference on bidding for San Francisco contracts by San Francisco based companies. Referred to Government Efficiency and Labor Committee.

File 100-93-5, By Supervisor Shelley: To consider the findings of the Budget and Planning Subcommittee of the City's Joint Fiscal Task Force on the City's fiscal crises. Referred to Budget Committee.

File 207-93-9, By Supervisor Shelley: To consider the issue of public safety in the Visitation Valley area. Referred to Health and Public Safety Committee.

File 30-93-5.3 [Needle Exchange] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto presented.) Referred to Board April 26, 1993 For Adoption Without Committee Reference Calendar.

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File 165-93-5 [Management Audit] Motion directing the Budget Analyst to conduct a management audit of the Municipal Railway. (Supervisors Conroy, Alioto presented.) Referred to Budget Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-92-62. [Government Funding] Appropriating \$77,131, Department of Public Works, for program project budget (repair and demolition). RO #92212 (Controller) Budget

File 101-92-63. [Government Funding] Appropriating \$32,440, Department of Public Works, for facilities maintenance project to cover ten percent overage as per Charter Section 7.203, providing for ratification of action previously taken. RO #92213 (Controller) Budget

File 101-92-64. [Government Funding] Appropriating \$39,621,938, Airports Commission, for various capital improvement projects and rescinding \$39,621,938 from various capital improvement projects. RO #92215 (Controller) Budget

File 101-92-65. [Government Funding] Appropriating \$7,051,304, Airports Commission, for various capital improvement projects and rescinding \$6,021,425 from capital improvement project (Airfield Improvement) and \$1,029,879 from the Bond Reserve Payment. RO #92217 (Controller) Budget

File 101-92-66. [Government Funding] Appropriating \$500,000, Registrar of Voters, for program project budget (Special Election Fund). RO #92209 (Controller) Budget

File 27-93-6. [Airport - Lease Modifications] Approving Modification No. 4 of Lease and Use Agreement between Alaska Airlines, Inc. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor Committee

File 27-93-7. [Airport - Lease Modifications] Approving Modification No. 5 of Lease and Use Agreement between Northwest Airlines, Inc. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor Committee

File 27-93-8. [Airport - Service Contract] Approving the "Foreign Currency Exchanges Lease" between Tele-Trip Company, Inc.; and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Government Efficiency and Labor Committee

File 46-93-6. [Settlement of Lawsuit] Authorizing settlement of Stella Santos, et al., v. William G. Lai, et al., upon receipt of \$15,000 and dismissal of complaint. (City Attorney) Government Efficiency and Labor

Monday, April 19, 1993

File 97-93-20. [Representation of Police Department in Certain Organizations] Amending the Administrative Code by adding Section 16.6-47-1 thereto, permitting representation of the Police Department in certain organizations. (Police Commission) Government Efficiency and Labor

Resolutions Referred to Committee

File 33-93-3. [Appointment] Confirming Mayor's Appointment to the San Francisco Redevelopment Agency (Jon Henry Kouba, for the term to expire September 3, 1996, vice Buck Bagot, term expired). (Mayor) Rules

File 38-93-5. [Acceptance of Gift] Authorizing the City Librarian to accept a gift from the Library Foundation of San Francisco in the amount of \$480,000 to establish a resource collection for learning differences at the San Francisco Public Library. (Public Library)

File 40-93-2. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Housing and Land Use

File 170-93-2.1. [General Obligation Bonds] Awarding bonds and fixing definitive interest rates for \$15,500,000 General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1993A; \$65,000,000 General Obligation Bonds, (Public Safety Improvement Project, 1990), Series 1993B; \$8,360,000 General Obligation Bonds (Golden Gate Park Improvements, 1992), Series 1993C and \$16,410,000 General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1993D. (Clerk of the Board) Scheduled for Special Meeting of the Board to be held on Wednesday, April 21, 1993 at 1:30 p.m.

File 192-93-5. [Grant - Federal and State Funds] Authorizing the Executive Director of the Department of Parking and Traffic to accept and expend grant funds for a consultant study to evaluate replacement alternatives for the Central Freeway, foregoing reimbursement of indirect costs. (Department of Parking and Traffic) Government Efficiency and Labor

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that City Attorney prepare ordinance concerning display of aerosol spray paint containers and marking pens in an area viewable by, but not accessible to the public without employee assistance, pending legal sale or disposition of such marker pens or paint containers.

By Supervisors Conroy and Shelley, that letter be sent to Chief of Police inquiring of the status of efforts to initiate a "Buyer Beware" program.

Monday, April 19, 1993

By Supervisor Maher, that City Attorney prepare appropriate legislation requiring the City and County of San Francisco to voluntarily comply with SB 1423 (Becky Morgan) and report the names of new employees to the New Employee Registry in California.

By Supervisor Conroy, that letter of inquiry be sent to Superintendent of Schools concerning plans to change West Portal School from a neighborhood school to a special program school to determine how such a decision was reached and what plans exist to accommodate neighborhood and area children.

By Supervisor Conroy, that letters of inquiry be sent to the Sheriff and Chief of Police to determine if the State's policy of returning parolees to the place of their arrest instead of their place of longtime residence has placed an undue burden on San Francisco's law enforcement efforts and if, in their opinion, a change in State law which would return parolees to their place of longtime residence would lessen the burden on law enforcement efforts.

By Supervisor Conroy, that City Attorney prepare ordinance which would amend the neighborhood commercial district zoning control to allow for on-site consumption of beverages and limited food goods (coffeehouse category).

By Supervisor Maher, that City Attorney prepare ordinance which would reinstate the five percent preference on bidding for San Francisco contracts by San Francisco based companies.

By Supervisor Bierman, that letter be sent to Chief of Police concerning the public's safety in the area around the Buena Vista School, 25th and Utah Streets, where alleged drug sales and drive by shooting have occurred and inquiring what kind of increased care has been given to the neighborhood.

By Supervisor Hallinan, that City Attorney prepare ordinance repealing Ordinance No. 100-93 authorizing and directing the sale of surplus city-owned property known as a portion of Water Department Parcel 55, located at Lake Merced Boulevard and John Muir Drive (Olympic Club).

By Supervisor Kaufman, that letter be sent to Director, Department of Parking and Traffic, requesting report on speed bumps on Capp Street, between 17th and 20th Streets.

By Supervisor Kennedy, that letter of inquiry be sent to Executive Director, Housing Authority, to determine the number of original tenants that were displaced from Plaza West Homes and what is the percentage of African Americans in the Robert B. Pitts Homes.

By Supervisor Kennedy, that letter be sent to Executive Director, Housing Authority, concerning the April 27, 1993 evictions of tenants in Bernal, Sunnyside, Hayes Valley and North Beach, and requesting report on the reason for the evictions since the buildings are being rehabilitated and what the final outcome will be.

By Supervisor Kennedy, that letter be sent to Director, Department

Monday, April 19, 1993

of Parking and Traffic, transmitting copy of correspondence concerning proliferation of Stop signs on Holloway Avenue and Vernon, Head, Ashton, Faxon, Capital, Granada, Plymouth, Brighton, Lee and Harold Streets and requesting report on rationale for installing all these signs.

By Supervisor Kennedy, that letter be sent to Executive Director, Housing Authority, concerning San Francisco's South Africa divestment ordinance and requesting report on the Housing Authority's compliance with this law.

By Supervisor Kennedy, that City Attorney prepare resolution urging the Mayor to request the Housing Authority Commission to re-bid the elevator job and to adhere to the Minority/Women/Local Business Enterprise and South Africa Divestment Ordinances.

By Supervisor Shelley, that City Attorney prepare ordinance which would withhold property taxes to the State.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

R. Bradley Wilson (Supervisor Migden)
Eneas J. Kane (Supervisor Shelley)
Clarice Berelson (Supervisor Kaufman)

File 2-93-16

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 7:26 p.m. adjourned.

John L. Taylor, Clerk

Monday, April 19, 1993

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on _____

Monday, April 19, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Wednesday, April 21, 1993 - 1:30 p.m.

The Board of Supervisors of the City and County of San Francisco met in special session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The special meeting was called to order at 1:50 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Maher, Hallinan, Kaufman, Migden - 6.

Noted absent at first roll call:

Supervisors Achtenberg, Conroy, Hsieh, Kennedy, Shelley - 5.

Quorum present.

Report from Chief Administrative Officer

The Chief Administrative Officer reported that two bids were received and recommended that the bid award be given to the lowest bidder, Bank of America.

The Controller submitted a letter dated April 21, 1993 indicating the winning bid was received from Bank of America, N.T. & S.A. and the true interest cost is 5.4187 percent. (A copy is on file with the Clerk of the Board of Supervisors in File 170-92-3.1.)

From the Clerk

Adopted

Resolution awarding bonds and fixing definitive interest rates for \$15,500,000 General Obligation Bonds (Public Safety Improvement Project, 1989) Series 1993A; \$65,000,000 General Obligation Bonds, Series 1992B (Public Safety Improvement Projects, 1990), Series 1993B; \$8,135,000 General Obligation Bonds (Golden Gate Park

Wednesday, April 21, 1993

Improvement, 1992), Series 1993C and \$16,410,000 General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1993D.
(City Attorney)

File 170-92-3.1, Resolution No. 318-93

The roll was called on the resolution awarding the bonds to Bank of America and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Maher, Hallinan, Kaufman, Migden - 6.

Absent: Supervisors Achtenberg, Conroy, Hsieh, Kennedy, Shelley - 5.

ADJOURNMENT

There being no further business, the Board at the hour of 1:54 p.m. adjourned.

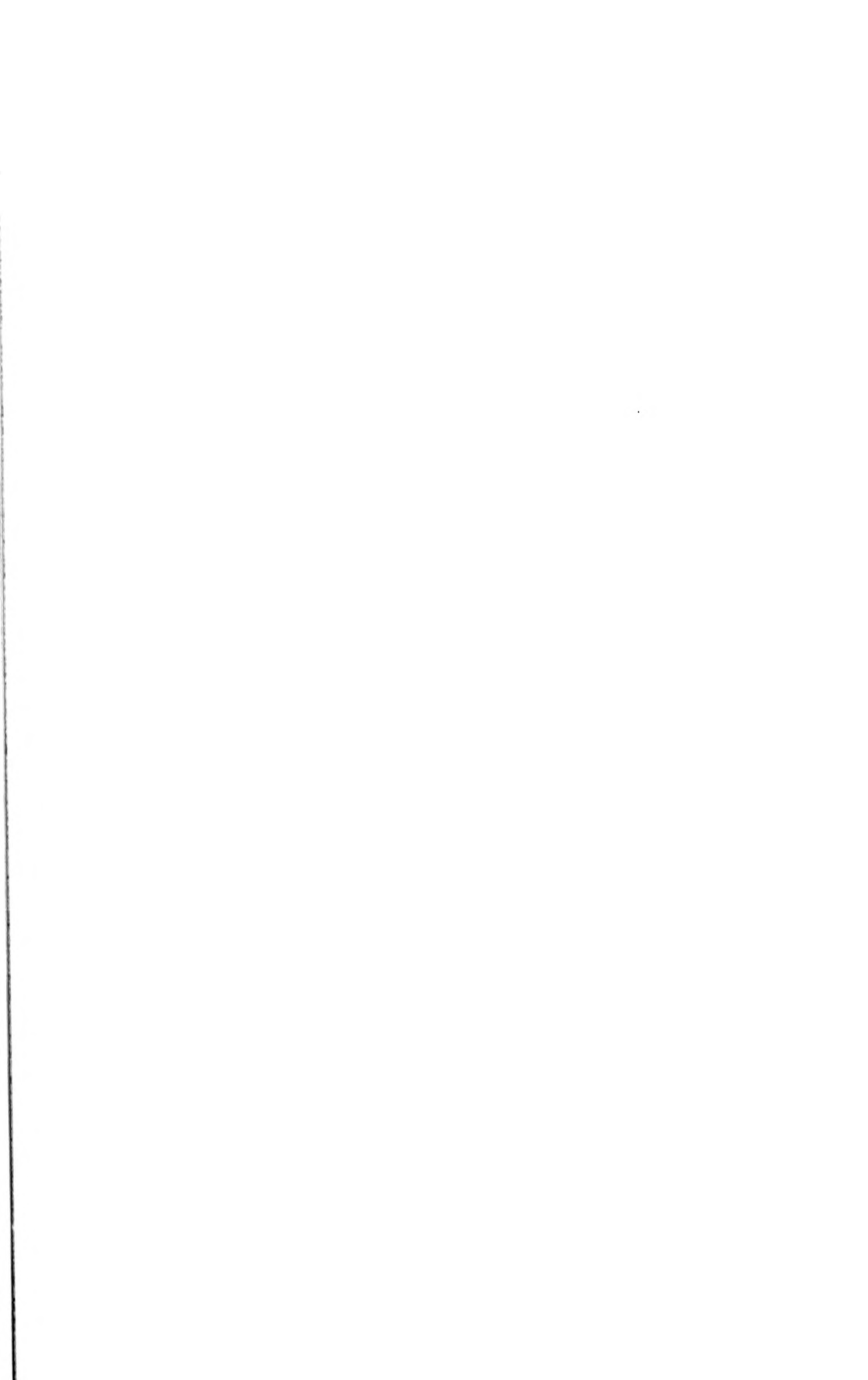
John L. Taylor, Clerk

Wednesday, April 21, 1993

Approved by the Board of Supervisors on September 27, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors



No. 17

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, April 26, 1993 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Hallinan, Msieh, Kaufman, Kennedy, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Achtenberg, Bierman, Conroy, Maher - 4.

Quorum present.

Supervisor Achtenberg excused, on official leave of absence.

Supervisor Bierman was noted present at 2:12 p.m.

Supervisor Conroy was noted present at 2:21 p.m.

Supervisor Maher was noted present at 2:12 p.m.

Presentation of Guests

Supervisor Kennedy, seconded by Supervisor Bierman, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Samantha Greer.

No objection and motion carried.

Ms. Greer, President of Caring for Children and the children accompanying her, presented teddy bears to each Supervisor.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could present several Certificates of Honor.

Monday, April 26, 1993

Presentation Made

Supervisor Alioto, presented certificates of honor to various individuals in acknowledgment of their volunteer participation in the Head Start Christmas Cruise and aid in the distribution of toys at Christmas.

The President reassumed the Chair.

Privilege of the Floor

Supervisor Hsieh, seconded by Supervisor Maher, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Attorney Fred Furth and Redevelopment Agency President Ben Hom.

No objection and motion carried.

The topic of discussion was the suspension of Mr. Ben L. Hom pending resolution of misconduct charges.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Government Funding]
Ordinance appropriating \$2,440,000, Port Commission, for various capital improvement projects, for fiscal year 1992-93; placing \$2,440,000 on reserve. (Controller)

File 101-92-59, Ordinance No. 116-93

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[General Assistance Property and Grant Levels]
Ordinance amending Administrative Code, (General Assistance Ordinance) relating to allowable personal property and to the computation of aid grants. (Department of Social Services)

File 97-93-18, Ordinance No. 125-93

(Amends Sections 20.56.10 and 20.57.)

Finally passed.

Monday, April 26, 1993

Passed for Second Reading

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Lynn Barfield against the City and County of San Francisco, by payment of \$30,250. (City Attorney)

File 45-93-18, Ordinance No.

(Superior Court No. 924-461)

Passed for second reading.

;

[Settlement of Litigation]

Ordinance authorizing settlement of litigation of Bertha Chapa against the City and County of San Francisco, by payment of \$10,000. (City Attorney)

File 45-93-19, Ordinance No.

(Superior Court No. 934-358)

Passed for second reading.

Adopted

[Acceptance of Gifts]

Resolution accepting two gifts valued at \$292,275.14, for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-93-4, Resolution No. 325-93

Adopted.

[State Disability Insurance]

Resolution authorizing enrollment of Classification AA38 Property Transfer Assistant in the State Disability Insurance Program. (Employee Relations Division)

File 89-93-4, Resolution No. 327-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Department of Public Health, AIDS Office, to apply for a continuing grant allocation of \$790,000, which includes indirect costs based on ten percent of personnel costs, from the California Department of Health Services to continue funding the AIDS Education and Prevention Program component of the Master Grant Agreement. (Department of Public Health)

Monday, April 26, 1993

File 146-93-14, Resolution No. 332-93

Adopted.

[Grant - State Funds]

Resolution authorizing retroactively, the Department of Public Health, Division of Mental Health and Substance Abuse Services, to accept and expend a grant up to the amount of \$408,501 which excludes indirect costs from the State of California, Department of Alcohol and Drug Programs to provide substance abuse/HIV services to residents of San Francisco; waiving indirect costs. (Department of Public Health),

File 146-93-15, Resolution No. 333-93

Adopted.

[Grant - State Funds]

Resolution authorizing the Sheriff's Department, Adult Probation Department and Juvenile Probation Department of the City and County of San Francisco to apply for, accept and expend \$395,991 in funds from the State of California Board of Corrections for the Standards and Training of Local Corrections and Probation Officers Programs; stipulations adherence to standards of recruitment and training established by the Board of Corrections; waiving indirect costs. (Sheriff)

File 152-93-1, Resolution No. 334-93

Adopted.

[Annual Joint Fundraising Drive]

Resolution designating those agencies qualified to participate in the 1993 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco. (Government Efficiency and Labor Committee)

File 162-93-1, Resolution No. 335-93

(United Way of the Bay Area;
Local Independent Charities;
Earth Share of California - Environmental Federation;
Bay Area Black United Fund, Inc. - BABUF;
The Progressive Way;
Combined Health Appeal of California;
International Service Agencies - ISA.)

Adopted.

Monday, April 26, 1993

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersections]

Resolution designating certain intersections as "Stop" intersections at various locations (Housing and Land Use Committee)

File 18-93-3, Resolution No. 322-93

Stop Signs - Establish

Casitas and Lansdale Avenue, northeast corner, stopping westbound Casitas Avenue traffic (makes this an all-way STOP).

Adopted.

[Parking Regulations]

Resolution enacting, extending and rescinding parking regulations on various street. (Housing and Land Use Committee)

File 19-93-3, Resolution No. 323-93

(Parking Meter Area 3 (1-Hour parking time limit, Monday, through Saturday, 7:00 a.m. to 6:00 p.m.) - Extend

Beckett Street, west side, between Jackson Street and Pacific Avenue (7 automobile stalls and 7 metered yellow zones).

Wentworth Street, west side, between Jackson and Washington Streets (7 automobile stalls and 7 metered yellow zones).

Walter U. Lum Place, west side, between Clay and Washington Street (5 metered yellow zones in parking bays).

(No Parking Anytime - Rescind

Clay Street, north side, between Battery and Davis Streets.

(Tow-Away, No Parking Anytime - Establish

15th Street, south side, from Folsom Street to 108 feet easterly (108-foot zone, replacing existing red zone with part-time tow-away).

Adopted.

[Traffic Regulations]

Resolution enacting traffic regulations on Folsom Street. (Housing and Land Use Committee)

File 20-93-3, Resolution No. 324-93

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(Tow-Away, No Stopping Anytime - Establish
Folsom Street, north side, from 11th Street to 20 feet
westerly (20-foot zone).

Adopted.

The foregoing items on the Consent Calendar were acted upon by
the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman,
Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Budget Committee

Finally Passed

[Government Funding]

Ordinance appropriating \$71,327, Board of Supervisors, for
professional services and services of other departments-
miscellaneous departments (Budget Analyst Services and Government
Access Channel); subject of previous budgetary denial, for fiscal
year 1992-93. (Controller)

File 101-92-61, Ordinance No. 117-93

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh,
Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

(Supervisor Kaufman Dissenting in Committee.)

(See Journal of Proceedings of May 3, 1993
for disapproval by Mayor.)

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[Salary Standardization Ordinance]

Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County, Community College District and Unified School District, whose compensations are subject to the provisions of Section 8.400, Section 8.401, and Section 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1993. (Civil Service Commission)

File 106-93-1, Ordinance No.

Supervisor Migden, seconded by Supervisor Maher, move to rerefer to Committee.

Motion to rerefer to committee failed adoption by the following vote:

Ayes: Supervisors Conroy, Kaufman, Maher, Migden - 4.

Noes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Shelley - 6.

Absent: Supervisor Achtenberg - 1.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Shelley - 6.

Noes: Supervisors Conroy, Kaufman, Maher, Migden - 4.

Absent: Supervisor Achtenberg - 1.

From the Clerk

Adopted

[Findings]

Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 90.378C, subject to certain conditions, which authorized the conversion of a sixty-two unit residential hotel to a sixty-two unit tourist hotel, and for a commercial use greater than 2,500 feet, for property located at 2237 Mason Street, known as the San Remo Hotel; making Proposition M findings.

File 37-93-1.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Consideration Continued

(Supervisor Hsieh dissenting in Committee.)

[Fire Protection Assessment District]

Ordinance amending Public Works Code, to authorize the Board of Supervisors to initiate proceedings to establish a Fire Protection Assessment District and to levy annual fire protection assessments. (Supervisor Migden)

File 123-93-3, Ordinance No.

(Adds new Article 6.2, Sections 251.001 through 251.087.)

Supervisor Migden, seconded by Supervisor Maher, moved to continue consideration to May 3, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Noes: Supervisor Hsieh - 1.

Absent: Supervisor Achtenberg - 1.

Adopted

[State Legislation]

Resolution supporting AB 2207 supporting salaries and number of personnel of Superior and Municipal Courts. (Municipal Court)

File No. 12-93-16, Resolution No. 343-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

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[Campaign Statement Filing]

Ordinance amending Administrative Code to require candidates and political committees to file copies of their campaign statements on computer diskette. (Supervisors Achtenberg, Bierman, Hallinan, Shelley, Alioto)

File 97-93-4, Ordinance No.

(Adds Sections 16.534 through 16.538.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to May 3, 1993 and to direct the Clerk to request the Registrar of Voters to be present.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Shelley - 8.

Absent: Supervisors Achtenberg, Conroy, Migden - 3.

Passed for Second Reading

[Housing Code]

Ordinance amending Housing Code, to authorize the Bureau of Building Inspection to inspect an apartment house or hotel less frequently than once a year if the apartment house or hotel has an established record of compliance with code requirements. (Supervisor Kaufman)

(Amends Section 302)

File 125-93-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of City and County of San Francisco against Alexander Metlenko and Helen F. Metlenko by accepting consideration in the total amount of \$10,000 payable in cash and discharging said persons above-named from further liability. (Tax Collector)

File 166-93-2.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

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Absent: Supervisors Achtenberg, Conroy - 2.

Adopted

[Code Enforcement Priorities]

Resolution affirming existing priorities of the Code Enforcement Task Force and urging their continued implementation by member agencies of the City Attorney's Code Enforcement Task Force and urging the Code Enforcement Task Force, in collaboration with interested community-based non-profit housing organizations, to develop a plan to provide Landlord Training Programs to owners, and managers of residential hotels as set forth in the Memorandum of Understanding to effectively obtain and maintain code complaint properties. (Supervisor Kaufman)

File 200-93-2.1, Resolution No. 336-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Feasibility Study Funding]

Resolution urging the Mayor to urge the San Francisco Redevelopment Agency and the Department of Social Services and Mayor's Office of Housing and urging the Chief Administrative Officer to urge the Department of Public Works/Bureau of Building Inspection to explore and implement transfer of funds from these City and non-city agencies to the Code Enforcement Rehabilitation Fund or to another fund under the jurisdiction of the Department of Public Works/Bureau of Building Inspection for feasibility studies in connection with nuisances and restore unsafe privately owned low-income housing. (Supervisor Kaufman)

File 200-93-2.2, Resolution No. 337-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Hotel Rooms-Referral by Department of Social Services]

Resolution urging the Mayor to urge the Social Services Commission to direct the Department of Social Services to discontinue referral of individuals to hotels that are in violation of Health or Building Codes; and which have not been corrected or remedied in the appropriate time. (Supervisor Kaufman)

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File 200-93-2.3, Resolution No. 338-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Hotel Rooms - Use by Department of Social Services]
Resolution urging his honor, the Mayor, to urge the Health Commission to direct the Department of Public Health and to urge the Chief Administrative Officer to direct the Department of Public Works to notify the Department of Social Services promptly upon issuance, if any hotel used for the placement of clients has been cited by the Department of Public Health or for which an order of abatement has been issued by the Department of Public Works.
(Supervisor Kaufman)

File 200-93-2.8, Resolution No. 341-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Code Enforcement]
Resolution urging his Honor, the Mayor, to urge the Chief Administrative Officer to direct the Bureau of Building Inspections to set aside \$90,000 to fund a work order health inspector in the Department of Public Health for the purposes set forth in the Memorandum of Understanding. (Supervisor Kaufman)

File 200-93-2.6, Resolution No. 339-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[Code Enforcement - City Attorney Positions]
Resolution urging his Honor, the Mayor, to urge the Chief Administrative Officer to urge Department of Public Works/Bureau of Building Inspection to set aside and transfer to the City Attorney's Office funds to work order two additional Deputy City Attorney positions to process the 300 cases currently waiting legal action.
(Supervisor Kaufman)

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File 200-93-2.7, Resolution No. 340-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

[State Funds]

Resolution declaring support for the application of the Friends of Islais Creek to the State of California for Urban Stream Restoration Grant Funds to be used for planning and implementing a demonstration restoration project in and near Islais Creek. (Supervisor Bierman)

File 215-93-1. Resolution No. 342-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Bierman, Conroy - 3.

Recommendations of Housing and Land Use Committee

Adopted

Resolution changing Fitch Street to Arelious Walker Drive.
(Supervisors Kennedy, Alioto, Shelley)

File 75-92-4, Resolution No. 326-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

In connection with the above item, Supervisor Shelley requested to be added as a co-sponsor.

[Encroachment Permit - Aqua Restaurant]

Motion granting to Aqua Restaurant a minor sidewalk encroachment permit allowing the property at 252 California Street to place two planters at the entry to the building at that location, provided that the planters shall not exceed 15.5 inches in width. (Housing and Land Use Committee)

File 24-93-1

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Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Bierman - 2.

From Housing and Land Use Committee Without Recommendation

Adopted

[Lighting Assessment District]

Resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-1, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1 of the San Francisco Public Works Code for the purposes of installing street lighting in the Sutro Heights District. (Supervisor Maher)

File 229-93-1, Resolution No. 304-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Recommendation of Housing and Land Use Committee

Adopted

[Lighting Assessment District]

Resolution announcing the intent to undertake to form an Assessment District, pursuant to Article 4 of Chapter 1 of the Landscaping and Lighting Act of 1972, as adopted by the San Francisco Public Works Code for the purposes of installing street lighting in the Sutro Heights District; describing the intended improvements; indicating the location of the proposed assessment district; and giving notice of the time and place for public hearing on the question of the formation of the proposed assessment district and on the levy of the proposed assessment and setting June 21, 1993 as the hearing date; companion measure to File 229-93-1. (Supervisor Maher)

File 229-93-2, Resolution No. 305-93

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maner, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

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Recommendations of Rules Committee

Consideration Continued

[Appointment of Road Commissioner]

Ordinance appointing John E. Cribbs, Director of Public Works, to serve as Road Commissioner for the City and County of San Francisco, and repealing Ordinance No. 23-88. (Chief Administrative Officer)

File 92-93-17, Ordinance No.

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to May 17, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

Adopted

[Appointment]

Resolution appointing members to the Animal Control and Welfare Commission for two-year terms ending April 30, 1995. (Clerk of the Board)

File 92-93-20, Resolution No. 329-93

(Dolly D. Trauner;
Mark S. Hamilton;
Stanley Mahy;
Debra M. Fila)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

[Appointment]

Resolution appointing member to the Mission Bay Hazardous Material Investigation and Remediation Program (HMIRP) Citizens Advisory Committee. (Rules Committee)

File 92-92-34, Resolution No. 330-93

(Karyn King, adjacent neighborhood association.)

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Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

[Appointment]

Resolution appointing member to the Commission on San Francisco's Environment. (Rules Committee)

File 92-93-1, Resolution No. 331-93

(Steven Appleton, at large)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Achtenberg, Conroy - 2.

Consideration Continued

[Appointment]

Resolution appointment members to the newly established Lead Hazard Reduction Citizens Advisory Committee; making findings waiving residency requirements. (Rules Committee)

File 92-93-3.1, Resolution No.

(Heather Lea Heppner (affordable housing);
Ted Gullicksen (tenant representative);
Emily McFarland (tenant representative);
Gen Fujioka (tenant representative);
Robert Mengarelli (painting contractor);
Tim Carrico (residential owner);
Vince Malta (residential owner);
Mitch Fine (financial expert);
James D. Gilford (abatement expert);
Michael J. Kosnett, M.D. (physician);
Stephen C. Davis (testing expert);
Neil Gendel (public interest organization);
Don Lanier (Environmental Protection Agency);
Robert Y. Nakamura (CalOSHA);
Jack Breslin (Department of Public Health);
Ron Atkielski (Housing Authority).)

Supervisor Shelley, seconded by Supervisor Hsieh, moved to continue consideration to May 3, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

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Absent: Supervisor Achtenberg - 1.

[Appointment]

Resolution appointing members to the Emergency Medical Care Committee; making findings waiving residency requirement. (Rules Committee)

File 92-93-15, Resolution No.

(Odelia Braun, M.D., San Francisco Medical Society, vice Robert Hemnick, M.D., term expired, for term ending June 30, 1995; Linda Wang, Community Mental Health Services, new position, for term expiring June 30, 1995)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to May 3, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Adopted

[Appointment]

Resolution nominating members to the Citizens Advisory Committee on Elections for appointment by the Mayor for four-year term ending May 15, 1996. (Rules Committee)

File 92-93-19.1 Resolution No. 328-93

(Christopher L. Bowman, vice himself;
Samson W. Wong, vice himself.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

Consideration Continued

[Rule Change]

Motion amending the Rules of Order of the Board of Supervisors in order to rename the Health and Public Safety Committee to the Health, Public Safety and Environment Committee. (Supervisor Shelley)

File 56-93-3

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(Rule 1.3 of the Board of Supervisor's Rules of Order provides that an amendment to the Rules may, after one week's notice given by inclusion in the Board Calendar, be adopted by an affirmative recorded vote of two-thirds of all members of the Board.

In accordance therewith, consideration appropriately may be continued at least one week.)

Supervisor Kennedy, seconded by Supervisor Maher, moved to continue consideration to May 3, 1993.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden, Shelley - 10.

Absent: Supervisor Achtenberg - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jan;
Collin Gallaher;
Marvis Slips;
Latonia Murdock;
Bonnie Tyson;
Mary Ortiz;
Rita Harrison;
Garr Tavai-Fiatao;
Juanita Marshall;
Mary Dougherty;
Alvin Jones;
Ace Washington;
Orren Newman;
Steve Kenser.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These resolutions were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these resolutions to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the resolutions. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Migden requested that the following measure be

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severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Supplemental Appropriation]
Resolution urging the Mayor to urge the Public Utilities Commission to introduce a supplemental appropriation for the purposes of conducting an independent management audit of the Municipal Railway. (Supervisor Conroy)

File 165-93-5.1, Resolution No.

At the request of Supervisor Migden, referred to Budget Committee.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

Supervisor Shelley requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Housing Authority]
Resolution endorsing plans for the revitalization and renovation of Bernal Dwellings and Yerba Buena Plaza East. (Supervisor Shelley)

File 206-93-3, Resolution No.

Supervisor Shelley, seconded by Supervisor Migden, moved to amend on page 2, line 12 to add: "FURTHER RESOLVED, That this Board of Supervisors does approve the Implementation Plan."

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Migden, Shelley - 6.

Absent: Supervisors Achtenberg, Alioto, Conroy, Hallinan, Maher - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hallinan, Maher - 3.

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The President reassumed the Chair.

The Board thereupon resumed its consideration of the following item on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Needle Exchange]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-93-5.3

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hallinan, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These resolutions are being introduced at this meeting. An "Aye" vote is (a) a vote to find that the need to take action arose after the agenda was published (if the resolution title is not printed on the agenda) and (b) a vote to adopt the resolution. A unanimous vote is required for adoption today. Any Supervisor may require any of these resolutions to go to committee.

Adopted

[Leaves of Absence]

Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-93-17, Resolution No. 320-93

(Angela Alioto, President, Board of Supervisors, April 24 - 25; Roberta Achtenberg, member, Board of Supervisors, April 21 - 27; Carole Migden, member, Board of Supervisors, April 22 - 25; Marie K. Brooks, member, Airports Commission, April 13 - 19; James R. Herman, member, Port Commission, April 20 - 22; Jeanette Lazam, member, Human Rights Commission, April 23 - 28; J. Stanley Mattison, Vice President, Airports Commission, April 24 - 28;

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Patrick A. Murphy, President, Airports Commission, April 15 - 17; Harry Paretchan, member, Health Service Board, June 7 - 9; Edward Powell, member, Film and Video Arts Commission, May 23 - 27 and July 9 - 24; Barbara Rosenberg, member, Library Commission, April 13 - 15; John L. Taylor, Clerk of the Board of Supervisors, May 15 - 31. 1993.)

Adopted.

(The Immediate Adoption Calendar includes the following additional resolution submitted after preparation of the calendar.)

;

Adopted

[Omega Boys Club]

Resolution urging the Mayor to urge the Juvenile Justice Probation Commission to renew its contract with the Omega Boys Club.

File 172-93-16, Resolution No. 321-93

Supervisor Conroy presented for immediate adoption.

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Achtenberg, Hallinan, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Lawsuit]

Ordinance authorizing settlement of appellate attorney's fees litigation in Stone, et al., v. City and County of San Francisco, et al. by payment of \$133,282. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee with request it be considered on May 5, 1993.

File 45-93-21

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[Settlement of Lawsuit]

Ordinance authorizing settlement of litigation of Mary Hobdy against the City and County of San Francisco by payment of \$75,000. (Supervisor Hallinan presented.) Referred to Government Efficiency and Labor Committee with request it be considered on May 5, 1993.

File 45-93-22

[Government Funding]

Ordinance appropriating \$975,000 Superior Court, for fees and other compensation and rescinding \$155,000 from fees and other compensation for fiscal year 1992-93. (Supervisor Migden presented.) Referred to Budget Committee with request it be considered on May 5, 1993.

File 101-92-67

[Building Code]

Ordinance amending Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) by adding new Section 328 governing boiler inspection. (Supervisor Kennedy presented.) Referred to Budget Committee with request it be considered at the earliest possible date.

File 114-93-3

[Building Code]

Ordinance amending Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) by amending Section 3304 to provide new fees commensurate with new code Section 328 of the Building Code governing boiler inspection. (Supervisor Kennedy presented.) Referred to Budget Committee with request it be considered at the earliest possible date.

File 114-93-4

[Places of Entertainment]

Ordinance amending Chapter VIII, Part II, Article 15.1 of the San Francisco Municipal Code (Police Code) by amending Sections 1060 and 1060.22 relating to permit and fee requirements for places offering informal entertainment. (Supervisor Alioto presented.) Referred to Economic Vitality and Social Policy Committee with request it be considered on May 11, 1993.

File 121-93-3

[Landmark]

Resolution supporting Landmarks Preservation Board designation of Korean United Methodist Church. (Supervisor Alioto presented.) Referred to Housing and Land Use Committee.

File 90-93-1

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[Building Code Violations]

Resolution urging his Honor, the Mayor, and the Chief Administrative Officer, to urge all enforcing officers and employees under their respective jurisdictions to provide notice to tenants in possession of pending abatement proceedings against property owners by posting official notice at the property that is the subject of the abatement proceedings. (Supervisor Bierman presented.) Referred to Housing and Land Use Committee.

File 114-93-5

[Graffiti]

Resolution urging the Mayor to submit to the Board a consolidated graffiti eradication effort under one department (excluding MUNI) in the 1993-94 Budget. (Supervisor Conroy presented.) Referred to Budget Committee.

File 218-93-2

[Graffiti]

Resolution urging the Mayor to submit a re-appropriation ordinance which would consolidate city departments' graffiti efforts (excluding Municipal Railway) under one department. (Supervisor Conroy presented.) Referred to Budget Committee.

File 218-93-3

Requests for Hearings:

File 161-93-4, By Supervisor Hallinan: To consider scheduling a hearing on alleged misconduct of Redevelopment Commissioner Ben Hom (Charter Section 8.107). Referred to Government Efficiency and Labor Committee.

File 200-93-4, By Supervisor Kaufman: To consider the plan by the Department of Public Works to solicit bids to install public toilets in San Francisco. Referred to Government Efficiency and Labor Committee with request it be considered on May 5, 1993.

File 238-93-1, By Supervisor Maher: To consider if San Francisco is getting more than its share of state parolees. Referred to Health and Public Safety Committee.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 65-93-4. [Lease of General Clinical Research Space] Authorizing and approving lease of a portion of the Third Floor of Building 100 and Fifth Floor of the New Hospital at San Francisco General Hospital to the Regents of the University of California. (Real Estate Department). Government Efficiency and Labor

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Resolutions Referred to Committee

File 25-93-2. [Contracting Out City Services] Concurring with the Controller's certification that legal process server services can be practically performed for the District Attorney, Family Support Bureau by a private contractor for a lower cost than similar services performed by City and County employees. (District Attorney) Government Efficiency and Labor

File 40-93-3. [Parking of Vehicles] Extending the boundaries of Residential Permit Parking Area "U" in the South of Market area; and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Housing and Land Use

File 64-93-7. [Lease of Real Property] Authorizing renewal lease of real property at 45 Leland Avenue for the Visitacion Branch Library. (Real Estate Department) Government Efficiency and Labor

File 109-93-4. [Rent Stabilization and Arbitration Liens] Confirming report of delinquent charges for Rent Stabilization and Arbitration fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Tax Collector). Scheduled for Public Hearing before Board on June 7, 1993 at 3:00 p.m.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that the City Attorney prepare an ordinance to amend the previously adopted Lead Hazard Reduction Citizens Advisory Committee to add an additional painting contractor and a parent.

By Supervisor Conroy, that the City Attorney comment on the legality and possibility of drafting legislation which would create a Graffiti Nuisance Abatement Fund and would also require those who sell aerosol paint containers, felt tip markers and marking substances to obtain a specific license and pay specific fees to do so, the proceeds of which would be directed to the aforementioned fund.

By Supervisor Conroy, that the City Attorney investigate the possibility of imposing a local tax on aerosol paint containers, felt tip markers and marking substances or instruments pursuant to Section 7287 of the Revenue and Taxation Code to establish a graffiti cleanup fund.

By Supervisor Conroy, that letter be sent to the Recreation and Park Department inquiring about resurfacing the James Moffet Tennis Court.

By Supervisor Kennedy, that letter be sent to the Mayor urging him to create a Task Force consisting of a number of people as prescribed by the Federal Guidelines to consider an appropriate site

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for a Job Corps Center for the City and County of San Francisco and to develop strategy to assure that the site is located within the City and County of San Francisco.

By Supervisor Migden, that letter be sent to the Civil Service Commission and the Retirement Board regarding the method used in determining the credit of pregnancy leave, prior to 1979, in the calculation of time for eligibility for early retirement.

By Supervisor Kennedy, that letter be sent to representatives of the Department of Housing and Urban Development requesting representation at hearing before Housing and Land Use Committee regarding Geneva Towers Master Plan on May 6 at 10:00 a.m.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Caesar Chavez (By the entire Board)
R. C. Jones (Supervisor Kennedy)
Eva Young (Supervisor Kennedy)
H. M. Sanchez (Supervisor Shelley)

File 2-93-17

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:33 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

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Approved by the Board of Supervisors on September 27, 1993

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

